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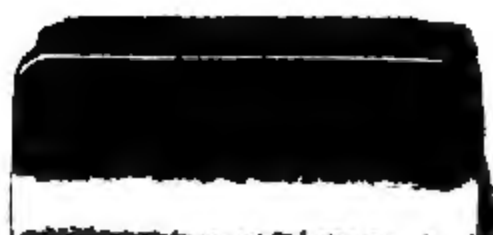
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JOURNAL

OF THE

INDIANA STATE SENATE,

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DURING THE

FORTY-NINTH SESSION

OF THE

GENERAL ASSEMBLY,

COMMENCING THURSDAY, JANUARY 7TH, 1875.

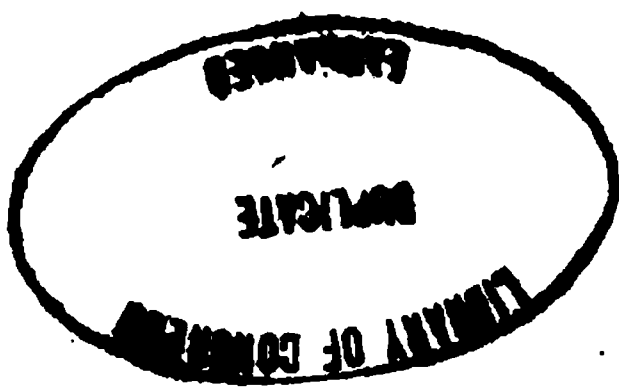
VOLUME II.

REGULAR SESSION.

Special Session A1302-

INDIANAPOLIS:
SENTINEL COMPANY, PRINTERS.
1875.

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TUESDAY MORNING.

FEBRUARY 23, 1875, 10 O'CLOCK.

Senate assembled, President in the chair.

Journal of yesterday read and approved.

Indefinite leave of absence was granted Mr. Rhodes on account of death in his family.

By unanimous consent Mr. Sleeth presented a petition from citizens of Rush county on the subject of interest.

Was read and placed on the calendar.

Message from the House by Mr. Holmes, the Secretary thereof:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed the following Engrossed House Bills, viz:

House Bills No. 172, entitled "~~An act legalizing~~ dissections of human bodies for anatomical and surgical purposes, providing the manner of obtaining and distribution of bodies for such purposes, and penalties for violating the same."

Also, House Bill No. 350, entitled, "~~An act to~~ amend an act entitled 'an act to provide for the opening, vacating and change of public highways,' " approved June 17, 1852.

Also, House Bill No. 325, entitled "An act concerning licenses to exhibit any caravan, circus, rope or wire dancing, legerdemain, ventriloquism, puppet show, concert, theatrical performance, or any other exhibition of whatever name or description, or by traveling or stationary troupes, individually or collectively, and providing for the collection of the same, with an emergency clause."

Also, House Bill No. 288, entitled "An act to amend sections

one and two of an act fixing the per diem and mileage of members of the General Assembly and providing that they shall provide their own stationery," approved December 19, 1872, and declaring an emergency.

Also, House Bill No. 407, entitled "An act to legalize the official acts of the Board of Trustees of the town of Spencer, in Owen county, in the State of Indiana, and all other corporations under an act for the incorporation of towns, defining their powers, providing for the election of officers thereof, and declaring their duties," approved June 11, 1852, and the by-laws, rules and regulations and proceedings adopted in pursuance thereof.

Also, House Bill No. 143, entitled "An act appropriating money to pay the existing indebtedness of the State Normal School at Terre Haute, Indiana, and declaring an emergency."

Also, House Bill No. 16, entitled "An act fixing the salary of the Governor."

Also, House Bill No. 293, entitled "An act to legalize the acts of county commissioners in loaning, and purchasing and conveying real estate, and to authorize them to sell and convey lands heretofore conveyed to said county, and take obligations and securities therefor."

Also, House Bill No. 330, entitled "An act to amend section 16 of an act entitled 'an act providing for the election or appointment of supervisors of highways, and prescribing certain of their duties, and those of county and township officers in relation thereto,'" approved March 5, 1859.

Also, House Bill No. 364, entitled "An act supplementary to an act entitled 'an act to amend section 53 of an act entitled an act to repeal all general laws now in force for the incorporation of cities and towns, and to provide for the incorporation of cities, and prescribing the powers and rights, and the manner in which they shall exercise the same, and regulating such other matters properly pertaining thereto, approved March 14, 1867, and declaring an emergency, approved March 10, 1873, and declaring an emergency, defining the terms 'auction' and 'auctioneer,' and providing that auctioneers may be required to pay a specific sum for license.'"

Also, that the House has passed Engrossed House Joint Resolution No. 8, entitled "A joint resolution instructing our Senators and requesting our Representatives to secure an amendment to the pension law, and the same are herewith transmitted to the Senate for its action thereon.

Also, Engrossed Senate Bill No. 106, entitled "An act to authorize incorporated towns to negotiate and sell bonds to procure means with which to complete unfinished buildings for public purposes, and authorizing the levy and collection of an additional tax for the payment of such bonds.

Also, Senate Bill No. 230, entitled "An act to amend the tenth section of an act entitled 'an act providing for voluntary assignment of personal and real property in trust for the benefit of auditors, and regulating the mode of administering the same,'" approved March 5, 1859.

Also, that the House has passed Engrossed Senate Bill No. 155, entitled "An act supplemental to an act concerning the organization and perpetuity of voluntary associations, and repealing an act entitled 'an act concerning the organization of voluntary associations, and repealing former laws in reference thereto,'" approved February 12, 1855, and repealing each act repealed by said act and authorizing gifts and devises by will to be made to any corporation or purpose contemplated by this act, and providing that the board of commissioners of counties shall in certain cases allow for the support of orphan children who are cared for by associations organized under the third specification of this act, and requiring such orphan children to be furnished with homes as expeditiously as practicable, and making the senior commissioner in service a member *ex officio* of the board of such associations; also, providing that no distinction shall be made on account of the nativity, complexion, or religion of such orphans or their parents, and the same are herewith transmitted to the Senate.

REPORTS OF COMMITTEES.

By Mr. Bell.

MR. PRESIDENT;

The Committee on Judiciary, to whom was referred Senate Bill No. 303, being a bill declaring the sale, etc., of fish inhabiting the streams, etc., of this State unlawful, etc., have had the bill under consideration, and direct me to report the same back with the recommendation that it lie upon the table.

Was placed on the calendar.

By Mr. Johnston of Parke.

MR. PRESIDENT:

The Committee on Judiciary, to whom was referred Senate Bill No. 311, a bill authorizing the United States to procure, by purchase or condemnation, lands within this State in certain cases and ceding jurisdiction over the same, have had the same under consideration, and direct me to report the same back to the Senate with the recommendation that the same do pass.

Was placed on the calendar.

By Mr. Johnston of Parke.

MR. PRESIDENT:

The Committee on Judiciary, to whom was referred House Bill No. 194, a bill to amend section 186 of an act entitled "An act to revise, simplify, and abridge the rules, practice, pleadings, etc., in civil cases in the courts of this State, etc., have had the same under consideration, and I am directed by a majority of the committee to report the same back to the Senate with the recommendation that it lie on the table.

Was placed on the calendar.

By Mr. Johnston of Parke.

MR. PRESIDENT :

The Committee on Judiciary, to whom was referred Senate Bill No. 300, being a bill relating to sureties, have had the same under consideration, and have directed me to report the same back to the Senate with the recommendation that the same do pass.

Was placed on the calendar.

By Mr. Boone.

MR. PRESIDENT :

The Committee on Judiciary, to whom was referred Senate Bill No. 317. A bill to regulate suits for malpractice, have had the same under consideration, and have directed me to report the same back to the Senate with a recommendation that the same lie upon the table.

Was placed on the calendar.

By Mr. Bell.

MR. PRESIDENT :

The Committee on the Judiciary to whom was referred Engrossed House Bill No. 255, being a bill concerning grand juries have had the same under consideration, and have directed me to report the same with the recommendation that the bill do lie upon the table for the reason that there has already been perfected and passed by the Senate a bill upon the same subject.

Was placed on the calendar.

By Mr. Bell.

MR. PRESIDENT :

The Committee on Judiciary, to whom was referred Senate Bill No. 314, being a bill concerning public funds, have had the same under consideration, and a majority of the committee have directed

me to report the bill with the recommendation that the same do lie on the table.

Was placed on the calendar.

By Mr. Daggy.

MR. PRESIDENT :

The Committee on Judiciary have had under consideration House Bill No. 129, an act to amend an act entitled "An act to incorporate the Indiana Fire and Marine Insurance Company, etc.," and a majority thereof recommend that section 2 of said original act be amended to read as follows :

Sec. 2. That the persons named in the first section, or a majority of them, after giving at least thirty days notice in at least two of the newspapers published in the city of Indianapolis, shall open books of subscription for the stock in said company and shall keep the same open at least thirty days, and if a greater amount is subscribed than is required by the terms of the advertisement under this act of incorporation, the surplus shares so subscribed shall be taken from the largest subscribers, commencing at the highest number till they are reduced within the limits prescribed, which stock shall consist of six thousand shares of fifty dollars each, and at the time of subscribing they shall have a right to demand and receive five dollars on each share and to have secured the residue to the satisfaction of the corporation payable in six months, which obligation may be amended from time to time, either for the whole or such part thereof as the president and directors shall direct, and it shall be the duty of the president and directors to give at least thirty days' notice of any call they may think it expedient to make, and in case of the failure of any stockholders to meet such call, or to secure the payment of the remainder as aforesaid, it shall be lawful for the president and directors to sell such delinquent shares, and transfer the same to the purchaser, or declare them forfeited to the company, together with all previous payments thereon. No transfer of such stock shall be deemed valid and complete so long as the person transferring the same shall be indebted to said company until the amount for which he is indebted is secured to the satisfaction of the president and

directors, and the stock of every stockholder shall be held as a collateral security for the payment of whatever sum he may be indebted to said company by votes for stock or otherwise.

Was placed on the calendar.

By Mr. Daggy, the following report :

MR. PRESIDENT :

The Committee on Judiciary have had under consideration Engrossed House Bill No. 200, a bill legalizing extensions of plank, gravel and turnpike roads beyond their terminal points mentioned in their articles of association, and a majority thereof recommend the passage of said bill.

Was placed on the calendar.

By Mr. Daggy, the following report :

MR. PRESIDENT :

The Committee on Judiciary have considered Engrossed House Bill No. 97, a bill to amend section 136 of the practice act, and recommend the passage thereof.

Was placed on the calendar.

By Mr. Daggy, the following report :

MR. PRESIDENT :

The Committee on Judiciary have considered Senate Bill No. 315, a bill to amend section 38 of an act defining felonies and prescribing punishment therefor, approved June 10, 1852, and recommend the indefinite postponement thereof.

Was placed on the calendar.

By Mr. Daggy :

MR. PRESIDENT :

The Committee on Judiciary have had under consideration Senate Bill No. 306, a bill concerning the punishment of felonies, and recommend that the same be indefinitely postponed.

Was placed on the calendar.

By Mr. Peed.

MR. PRESIDENT :

Your Committee on Judiciary, to whom was referred Senate Bill No. 308, being an act to provide for a general system of common schools, the officers thereof and their respective powers and duties, etc., have had the same under consideration, and directed me to report the same back to the Senate with the recommendation that the bill pass.

Was placed on the calendar.

By Mr. Sleeth.

MR. PRESIDENT :

The Committee on Judiciary, to whom was referred Engrossed House Bill No. 277, a bill concerning promissory notes, etc., have had the same under consideration, and have directed me to report the same back to the Senate, and that it lie upon the table for the reason that a bill concerning the same amendment has already passed the Senate, and for the further reason that a mistake is made in the House Bill in the reference to the law sought to be amended.

Was placed on the calendar.

By Mr. Gooding, the following majority report :

MR. PRESIDENT :

A majority of the Committee on Military Affairs, to whom was referred Senate Bill No. 324, a bill in relation to active militia and making appropriations, etc., have had the same under consideration, and direct me to report the same back to the Senate with the recommendation that it do lie upon the table.

By Mr. LaRue, the following minority report:

MR. PRESIDENT:

As the minority of the Committee on Military Affairs, I respectfully recommend the passage of Senate Bill No. 324, being a bill to encourage the organization of the active militia.

Was placed on the calendar.

By Mr. LaRue.

MR. PRESIDENT:

Your Committee on Military Affairs, to whom was referred House Joint Resolution No. 4, instructing our Senators and requesting our Representatives in Congress to pass a law regulating bounties, have instructed me to report the resolution back to the Senate with the recommendation that it do pass.

Was placed on the calendar.

By Mr. Scott.

MR. PRESIDENT:

Your Committee on engrossed Bills, to whom was referred Engrossed Senate Bill No. 75, a bill to establish city courts in cities not being county seats and having a population of over five thousand inhabitants, etc., have compared the same and find it correctly engrossed.

By Mr. Hackleman.

MR. PRESIDENT:

The Committee on Federal Relations, to whom was referred the communications of His Excellency, the Governor, concerning submarine sites for light houses and other aids to navigation, have had the same under consideration and direct me to report the following bill with the recommendation that it do pass.

Senate Bill No. 336. A bill concerning sub-marine sites for light houses and other aids to navigation.

Which was read a first time and placed on the calendar.

Report by Mr. Scott.

MR. PRESIDENT :

The Committee on Rights and Privileges of the Inhabitants of the State, to whom was referred House Bill No. 176, a bill to provide that owners of dogs killed or maimed shall not obtain judgment for such killing or maiming unless such dogs are listed for taxation, with a proviso, have had the same under consideration and direct me to report it back to the Senate with the recommendation that it do pass.

Was placed on the calendar.

By Mr. Johnston of Parke.

MR. PRESIDENT :

The Committee on Rights and Privileges of the Inhabitants of the State, to whom was referred House Bill No. 241, entitled "An act in relation to evidence respecting lost or destroyed records and deeds purporting to have been made pursuant to judicial sales," have had the same under consideration and direct me to report the same back to the Senate with the recommendation that the same be referred to the Committee on Judiciary for the reason that such bill involves grave legal questions that should be passed upon by said committee.

Which was concurred in and the bill referred to the Committee on Judiciary.

By Mr. Johnston of Parke.

MR. PRESIDENT :

The Committee on Rights and Privileges of the Inhabitants of the State, to whom was referred Senate Bill No. 276, entitled "A bill to provide for appointment of a fish commissioner for the State

of Indiana, defining his duties, fixing his salary, making appropriations, and declaring an emergency," have had the same under consideration and a majority of said committee have directed me to report the same back to the Senate with the recommendation that it lie on the table.

Was placed on the calendar.

By Mr. Johnston of Parke:

MR. PRESIDENT:

The Committee on the Rights and Privileges of the Inhabitants of the State, to whom was referred House Bill No. 203, entitled "A bill to authorize and empower manual labor schools organized and incorporated under the laws of this State, to accept and execute indentures of apprenticeship, and to make such indentures transferable by such corporation, and prescribing the rights and duties of the transferee in cases of such transfer," have had the same under consideration and direct me to report it back to the Senate with the recommendation that the same do lie on the table, for the reason that a similar bill with amendments recommended by this Committee has passed the Senate.

The report of the committee was concurred in and the bill laid on the table.

By Mr. Daggy:

MR. PRESIDENT:

The Committee on Insurance have had under consideration Senate Bill No. 79, being a bill to provide for the inspection of coal or petroleum oils, or burning fluids, etc., recommend the following amendments, to-wit: 1st. On page 2, line 14, before the word "that," insert "for." 2d. On page 5, line 7, strike out the word "fifty," and in lieu thereof insert the word "fifteen." 3d. In the fifth line of section 7, after the word "faithfully" insert the word "to," and when so amended that it do pass.

Was placed on the calendar.

Mr. Johnston of Parke offered the following resolution :

Resolved, That the sub-committee of the Senate Prison Committee be and are hereby instructed to proceed to Jeffersonville at once and continue the investigation of the management of the Southern Prison without any further delay, and report to this Senate as soon as possible.

Mr. Friedley of Lawrence offered the following amendment :

So amend as to require said committee to investigate the management of the State Prison, North, also.

Mr. Smith offered the following amendment to the amendment :

Amend so that Senator Friedley of Lawrence and Senator Bell of Allen be the sub-committee to investigate the Northern Prison.

Mr. Sleeth offered the following substitute for the pending amendments :

That a special committee of three be appointed to investigate the condition of the Prison, North, including the thorough investigation of the books, accounts, vouchers and contracts, and the treatment of the prisoners, and that the said committee be invested with full power to send for persons and papers, and administer oaths and to examine under oath the prisoners.

Which was agreed to.

The question being on the amendment of Mr. Smith as amended,

Mr. Givan moved the previous question, which was seconded by the Senate.

The question being, shall the main question be now put ?

It was so ordered, and the amendment, as amended, was agreed to.

The resolution, as amended, was then adopted.

By unanimous consent, Senate Bill No. 252, a bill to establish a Superior Court in the county of Tippecanoe, defining its jurisdiction, etc., was taken up.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bearss, Bell, Boone, Bowman, Bunnan, Chapman, Cree, Culbertson, Daggy, Dykeman, Friedley of Lawrence, Friedley of Scott, Gooding, Grove, Hackleman, Harney, Haworth, Henderson, Hendricks, Hough, Howard, Johnston of Parke, LaRue, Major, Maxwell, Neff, Oliver, Ringo, Roe, Sarnighausen, Scott, Skinner, Slater, Smith, Thompson, Tobin, Underwood, Wilson and Winterbotham—41.

Those who voted in the negative were,

Messrs. Cardwell, Givan and Humphries—3.

So the bill passed.

The question being shall the title as read stand as the title of the bill? •

It was so ordered.

Ordered, that the Secretary inform the House of the passage of the bill.

House Joint Resolution No. 9. A joint resolution in relation to the manufacture of polished plate glass in the State of Indiana.

Was read a second time.

Mr. Johnson of Floyd moved that the constitutional rule requiring bills to be read on three several days, be suspended, and that the joint resolution be read a third time now.

The ayes and noes being taken under the rule,

S. J.—47

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bearss, Bell, Boone, Bowman, Bunyan, Cardwell, Chapman, Culbertson, Daggy, Davidson, Dykeman, Friedley of Lawrence, Friedley of Scott, Grove, Hackleman, Harney, Haworth, Henderson, Hendricks, Hough, Humphries, Johnson of Floyd, Johnston of Parke, LaRue, Neff, Oliver, Peed, Ringo, Roe, Sarnighausen, Scott, Slater, Sleeth, Smith, Thompson, Tobin, Underwood, Wilson and Winterbotham—41.

Those who voted in the negative were,

Messrs. Givan, Gooding, Howard, Major, Maxwell and Skinner—6.

So the constitutional rule was suspended, and House Joint Resolution No. 9, was read a third time.

The question being, shall the joint resolution pass?

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bearss, Boone, Bowman, Bunyan, Chapman, Cree, Daggy, Friedley of Lawrence, Friedley of Scott, Hackleman, Harney, Haworth, Henderson, Hendricks, Hough, Howard, Johnson of Floyd, Johnston of Parke, LaRue, Neff, Oliver, Ringo, Roe, Scott, Thompson, Tobin, Underwood and Wilson—30.

Those who voted in the negative were,

Messrs. Bell, Cardwell, Culbertson, Dykeman, Givan, Gooding, Grove, Humphries, Major, Maxwell, Peed, Sarnighausen, Skinner, Slater, Smith and Winterbotham—16.

So the joint resolution passed.

The question being, shall the title as read stand as the title of the joint resolution?

It was so ordered.

Ordered, that the Secretary inform the House of the passage of the joint resolution.

Message from the House, by Mr. Holmes, Clerk thereof:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed Engrossed House Bill No. 367, entitled "An act to legalize the official acts of the official boards of trustees of the town of Charleston, Porter county, etc.," and the same is herewith transmitted to the Senate.

Also, that the House has concurred in the Senate amendments to the House joint resolution to raise a joint committee to investigate the affairs of the Southern State Prison.

Message from the Governor, by his Private Secretary:

MR. PRESIDENT:

By direction of the Governor, I have the honor to inform the Senate that he has approved Senate Enrolled Act number 191, entitled "An act to amend section 51 of an act entitled 'an act to divide the State into circuits for judicial purposes, fixing the time of holding courts therein, abolishing the Court of Common Pleas, and transferring the business thereof to the Circuit Courts, and providing for the election of judges and prosecuting attorneys in certain cases,'" approved March 6, 1873, and declaring an emergency; that he signed the same February 19, 1875, and that said act has been deposited in the office of the Secretary of State.

Also, by direction of the Governor, I have the honor to transmit herewith a communication in which he nominates certain persons as Commissioners of the House of Refuge for Juvenile Offenders and asks the Senate to advise and consent to their appointment by him.

EXECUTIVE DEPARTMENT,

INDIANAPOLIS, February 23, 1875.

Gentlemen of the Senate:

I nominate Finley Bigger, of Rush county, and William Koehner, of Huntington county, as Commissioners of the House of Refuge

for Juvenile Offenders, to serve as such for the term of four years from the first day of March, 1875. Mr. Bigger to succeed John W. Ray, and Mr. Kocher to succeed Amos S. Evans, and I respectfully ask that the Senate advise and consent to their appointment by me.

THOMAS A. HENDRICKS,

Governor.

Message from the House, by Mr. Holmes, Clerk thereof:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed the following engrossed Senate Bills, to-wit:

Senate Bill No. 89, entitled "An act for the organization of campmeeting associations, and providing for the government and management thereof, and declaring an emergency."

Also, Engrossed Senate Bill No. 130, entitled "An act to amend section 54 of an act entitled "An act to revise, simplify and abridge the rules, practice and pleadings and forms in civil cases in the courts of this State, to abolish distinct forms of action at law and to provide for the administration of justice in a uniform mode of pleading and practice without distinction between law and equity," approved June 18, 1852.

Also, Senate Bill No. 121, an act entitled "An act providing for the election and prescribing certain duties of county surveyors," approved June 17, 1852.

Also, Senate Bill No. 137, an act concerning the practice in cases appealed to the circuit court.

Also, Senate Bill No. 157, and act to amend the 153d section of an act entitled "An act to provide for a general system of common schools, the officers thereof, their powers and duties, and prescribing the fees for certain officers therein named, and for the establishment of township libraries," etc., approved March 6, 1865.

Also, Senate Bill No. 32, entitled "A bill to limit appointments to office in the punitive, reformatory and benevolent institutions of the State," with the following engrossed amendments thereto :

Engrossed amendments of the House to Senate Bill No. 32 :

Strike out the words "a bill," and insert "an act" in lieu thereof. Strike out the word "punitive," and insert the word "prison," in line 9. Strike out the word "punitive" and insert the word "prison."

Also, amend the title by striking out the word "punitive" and inserting the word "prison."

And the same are herewith returned to the Senate.

BILLS ON THIRD READING.

Engrossed House Bill No. 281. A bill to amend the first section of an act entitled as follows: "An act to amend the 1st section of an act for the incorporation of manufacturing and mining companies, companies for mechanical, chemical and building purposes," approved May 20, 1852, so as to provide for the incorporation of companies to furnish motive power to carry on business, or to supply any city or village with water, approved March 11, 1861.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bearss, Bell, Boone, Bunyan, Cardwell, Chapman, Cree, Daggy, Davidson, Dykeman, Friedley of Lawrence, Friedley of Scott, Hackleman, Haworth, Henderson, Hendricks, Johnston of Parke, LaRue, Major, Oliver, Sarnighausen, Scott, Skinner, Thompson, Tobin, Underwood and Wilson—29.

Those who voted in the negative were,

Messrs. Bowman, Culbertson, Grove, Harney, Hough, Howard,

Humphries, Maxwell, Neff, Peed Ringo, Roe, Slater, Smith, and Winterbotham—15.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

Mr. Chapman moved that the bill be referred to the Joint Committee on Titles.

Which was agreed to.

Engrossed Senate Bill No. 112. A bill to create the Forty-First Judicial Circuit, to amend sections 34 and 39 of an act entitled "An act to divide the State into circuits for judicial purposes, fixing the time of holding courts therein, abolishing the Courts of Common Pleas and transferring the business thereof to the Circuit Courts, and providing for the election of judges and prosecuting attorneys in certain cases," approved March 16, 1873, and also to provide times of holding court in the Thirty-third, Thirty-eighth and Forty-first circuits, and repealing all laws inconsistent therewith.

Was read a second time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bell, Chapman, Davidson, Dykeman, Friedley of Lawrence, Gooding, Grove, Hackleman, Henderson, Hendricks, Howard, Johnson of Floyd, Johnston of Parke, LaRue, Major, Oliver, Peed, Sarnighausen, Scott, Slater, Sleeth, Smith, Thompson and Winterbotham—26.

Those who voted in the negative were,

Messrs. Bearss, Boone, Bowman, Bunyan, Cardwell, Cree, Culbertson, Daggy, Givan, Harney, Haworth, Hough, Humphries, Maxwell, Neff, Ringo, Roe, Skinner, Tobin Underwood and Wilson—21.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Ordered, that the Secretary inform the House of the passage of the bill.

Engrossed Senate Bill No. 75. A bill to establish city courts in cities having a population of over six thousand inhabitants, defining their jurisdiction and the mode of procedure therein.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Beardsley, Bearss, Bell, Boone, Bowman, Bunyan, Cardwell, Chapman, Cree, Culbertson, Daggy, Davidson, Dykeman, Friedley of Lawrence, Friedley of Scott, Givan, Gooding, Grove, Hackleman, Harney, Haworth, Henderson, Hendricks, Hough, Howard, Humphries, Johnson of Floyd, Johnston of Parke, LaRue, Major, Maxwell, Neff, Oliver, Peed, Ringo, Roe, Sarnighausen, Scott, Skinner, Slater, Sleeth, Smith, Thompson, Tobin, Underwood, Wilson and Winterbotham—47.

No Senator voting in the negative.

So the bill passed.

The question being shall the title as read stand as the title of the bill.

It was so ordered.

Ordered, that the Secretary inform the House of the passage of the bill.

Mr. Boone, from the Committee on Titles, made the following report:

MR. PRESIDENT:

The Joint Committee on Titles, to whom was referred Senate

Bill No. 90, a bill to limit the powers of county boards in appropriation of sums exceeding five thousand dollars in cases where it is proposed to construct new public buildings or repair those already built, or to contract new bridges or the repairs thereof, and requiring a vote of the county in favor of such appropriations, etc., have had the same under consideration, and have instructed me to report the same back to the Senate with the following amendments:

Strike out the title, as the same now is, and insert in lieu thereof the following: A bill to amend the 16th section of the act entitled "An act providing for the organization of county boards and prescribing some of their powers and duties," approved June 17, 1852, restricting certain appropriations by such county boards and providing for a vote of the counties regulating the same, and recommend the adoption of the same as the title to the bill.

Which was concurred in.

Mr. Daggy, from the Committee on Phraseology and Arrangement of Bills, reported that they have examined Senate Bill No. 181, a bill to provide for a general system of common schools and the officers thereof, etc.

Also, Senate Bill No. 52. A bill for the incorporation and continuance of building, loan fund and saving associations, etc., and find the same correctly engrossed.

On motion by Mr. Thompson, the Senate took a recess until 2 o'clock p. m.

AFTERNOON SESSION.

Senate re-assembled, President in the chair.

The President announced the following named committee to investigate the Prison North:

Messrs. Johnston of Parke, Peed and Cardwell.

Engrossed Senate Bill No. 87. A bill providing for the erection of fish ladders in the rivers of this State.

Was read a third time.

By unanimous consent, Mr. Dykeman offered the following amendment:

Amend by inserting where it occurs "1876" in lieu of "1875."

Which was agreed to.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bell, Bowman, Bunyan, Cardwell, Chapman, Daggy, Dykeman, Friedley of Scott, Givan, Grove, Hackleman, Harney, Haworth, Henderson, Hendricks, Hough, LaRue, Major, Maxwell, Neff, Roe, Sarnighausen, Scott, Slater, Sleeth, Smith, Underwood, Wilson and Winterbotham—32.

Those who voted in the negative were,

Messrs. Boone, Cree, Davidson, Friedley of Lawrence, Howard, Humphries, Johnston of Parke, Peed and Ringo—9.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Ordered, that the Secretary inform the House of the passage of the bill.

Engrossed Senate Bill No. 192. A bill to provide for the election of a reporter of the Supreme Court, for a speedy publication of the decisions of such court, and for the compensation of such reporter.

Was read a third time.

Mr. Gooding moved that the bill be referred to the Committee on Printing.

Which was not agreed to.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bearss, Bell, Boone, Bowman, Bunnan, Cardwell, Chapman, Cree, Culbertson, Daggy, Davidson, Dykeman, Friedley of Scott, Givan, Grove, Hackleman, Harney, Haworth, Henderson, Hendricks, Hough, Howard, Humphries, Johnston of Parke, LaRue, Major, Maxwell, Neff, Peed, Ringo, Roe, Sarnighausen, Scott, Skinner, Slater, Sleeth, Thompson, Tobin, Underwood, Wilson and Winterbotham—43.

Those who voted in the negative were,

Messrs. Friedley of Lawrence and Gooding—2.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Ordered, that the Secretary inform the House of the passage of the bill?

Engrossed Senate Bill No. 15. An act to regulate the sale of intoxicating liquors, to provide against drunkenness, prescribing penalties, to repeal all laws contravening the provisions of this act, and declaring an emergency.

Was read a third time.

By unanimous consent Mr. Boone moved to amend the bill by inserting in the 11th section at the proper place the words "bartering or giving away."

Which was agreed to.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bearss, Boone, Bunyan, Cardwell, Chapman, Cree, Daggy, Davidson, Friedley of Lawrence, Friedley of Scott, Hackleman, Haworth, Harney, Hough, Howard, Johnston of Parke, LaRue, Major, Neff, Ringo, Roe, Scott, Tobin, Underwood and Wilson—27.

Those who voted in the negative were,

Messrs. Bell, Bowman, Culbertson, Dykeman, Givan, Gooding, Grove, Henderson, Hendricks, Humphries, Johnson of Floyd, Maxwell, Peed, Sarnighausen, Skinner, Slater, Sleeth, Smith, Thompson and Winterbotham—20.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

Mr. Johnston of Parke moved that the bill be referred to the Joint Committee on Titles.

Messrs. Slater and Smith demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bearss, Boone, Bunyan, Cardwell, Chapman, Cree, Daggy, Davidson, Friedley of Lawrence, Friedley of Scott, Hackleman, Haworth, Hough, Howard, Johnston of Parke, LaRue, Major, Neff, Ringo, Roe, Scott, Sleeth, Tobin and Underwood—25.

Those who voted in the negative were,

Messrs. Bell, Bowman, Culbertson, Dykeman, Givan, Gooding, Grove, Harney, Henderson, Hendricks, Humphries, Johnson of Floyd, Maxwell, Peed, Sarnighausen, Skinner, Slater, Smith, Thompson, and Winterbotham—21.

So the motion was agreed to, and the bill so referred.

Engrossed Senate Bill No. 181. An act to amend section 8 of an act entitled "An act to amend an act entitled 'an act to provide for a general system of common schools, etc.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Beardsley, Bunyan, Chapman, Cree, Daggy, Davidson, Friedley of Lawrence, Friedley of Scott, Gooding, Hackleman, Harney, Haworth, Henderson, Hendricks, Hough, Howard, Humphries, Johnston of Parke, LaRue, Major, Maxwell, Neff, Ringo, Roe, Sarnighausen, Scott, Slater, Thompson, Tobin, Underwood and Wilson—31.

Those who voted in the negative were,

Messrs. Bell, Boone, Bowman, Cardwell, Culbertson, Dykeman, Givan, Grove, Johnson of Floyd and Peed—10.

So the bill passed.

The question being shall the title as read stand as the title of the bill?

It was so ordered.

Ordered, that the Secretary inform the House of the passage of the bill.

Engrossed Senate Bill No. 162. An act providing for the commencement and prosecution of criminal action by information.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bearss, Boone, Bowman, Bunyan,

Cardwell, Chapman, Cree, Daggy, Davidson, Dykeman, Friedley of Lawrence, Friedley of Scott, Givan, Hackleman, Harney, Haworth, Henderson, Hendricks, Howard, Humphries, Johnson of Floyd, LaRue, Major, Neff, Peed, Ringo, Roe, Tobin, Underwood and Wilson—34.

Those who voted in the negative were,

Messrs. Bell, Culbertson, Gooding, Grove, Hough, Johnston of Parke, Maxwell, Sarnighausen, Scott, Slater, Sleeth, Smith, Thompson and Winterbotham—14.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Ordered, that the Secretary inform the House of the passage of the bill.

Engrossed Senate Bill No. 218. An act fixing the number of the Trustees of the Purdue University, prescribing the manner of their appointment, providing for the organization of said board, and repealing all laws in conflict with the provisions of this act.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bearss, Boone, Bowman, Bunyan, Cardwell, Chapman, Cree, Culbertson, Daggy, Davidson, Dykeman, Friedley of Lawrence, Friedley of Scott, Givan, Gooding, Grove, Hackleman, Harney, Haworth, Henderson, Hendricks, Hough, Howard, Humphries, Johnson of Floyd, Johnston of Parke, LaRue, Major, Maxwell, Neff, Peed, Ringo, Roe, Scott, Slater, Smith, Thompson, Tobin, Underwood, Wilson and Winterbotham—43.

Senator Bell voting in the negative.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Ordered, that the Secretary inform the House of the passage of the bill.

Mr. Bell moved to suspend the constitutional rule requiring bills to be read on three several days that Senate Bill No. 308, a bill to provide for a general system of common schools, the officers thereof, and their respective powers and duties, etc., may be read a second time by title and a third time by sections now.

The ayes and noes being taken under the rule,

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bearss, Bell, Boone, Bowman, Bunnan, Cardwell, Chapman, Cree, Culbertson, Daggy, Davidson, Dykeman, Friedley of Lawrence, Friedley of Scott, Givan, Gooding, Grove, Hackleman, Harney, Haworth, Henderson, Hendricks, Hough, Howard, Humphries, Johnson of Floyd, Johnston of Parke, LaRue, Major, Maxwell, Neff, Oliver, Peed, Ringo, Roe, Sarnighausen, Scott, Skinner, Slater, Smith, Thompson, Tobin, Underwood, Wilson and Winterbotham—47.

No Senator voting in the negative.

So the constitutional rule was suspended and the bill read a second by title and a third time by sections.

Mr. LaRue offered the following amendment:

Amend by inserting after the word "interest," in third line of the bill, the words "at the rate of eight per cent. per annum."

Which was agreed to.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bearss, Bell, Boone, Bowman, Bunyan, Cardwell, Chapman, Cree, Culbertson, Daggy, Davidson, Dykeman, Friedley of Lawrence, Friedley of Scott, Givan, Gooding, Hackleman, Harney, Haworth, Henderson, Hendricks, Hough, Howard, Humphries, Johnston of Parke, LaRue, Major, Maxwell, Neff, Oliver, Peed, Ringo, Roe, Sarnighausen, Scott, Smith, Thompson, Tobin, Underwood, Wilson and Winterbotham—44.

No Senator voting in the negative.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Ordered, that the Secretary inform the House of the passage of the bill.

Message from the House by Mr. Holmes, the Clerk thereof:

MR. PRESIDENT:

I am directed by the Speaker of the House to inform the Senate that he has signed House Joint Resolution No. 8, instructing our Senators and requesting our Representatives in Congress to secure an amendment to the pension law, and the same is hereby transmitted to the Senate for the signature of the President thereof.

Mr. Smith, from the Committee on Phraseology and Arrangement of Bills, made the following report:

That they have carefully compared Engrossed Senate Bill No. 255. A bill supplemental to an act entitled "An act to establish Superior Courts, defining their jurisdiction," etc., and find the same correctly engrossed.

The President announced that he had signed House Enrolled Joint Resolution No. 9, a joint resolution in relation to the manufacture of polished plate glass in the State of Indiana.

Engrossed Senate Bill No. 70. An act in relation to promissory notes, bank checks and bills of exchange, and to designate the holidays to be observed in the presentment, acceptance and payment of the same, and declaring an emergency.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Bearss, Bell, Boone, Bowman, Bunyan, Cardwell, Chapman, Culbertson, Daggy, Davidson, Dykeman, Friedley of Lawrence, Friedley of Scott, Hackleman, Harney, Haworth, Henderson, Hendricks, Hough, Howard, Humphries, Johnson of Floyd, Johnston of Parke, Major, Neff, Oliver, Peed, Ringo, Roe, Sarnighausen, Scott, Skinner, Tobin, Underwood and Wilson—36.

Those who voted in the negative were,

Messrs. Givan, Maxwell, Slater and Winterbotham—4.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered,

Ordered, that the Secretary inform the House of the passage of the bill.

By unanimous consent the order of business was suspended, and Senate Bill No. 196 was taken up.

Mr. Friedley of Lawrence moved to suspend the constitutional rule requiring bills to be read on three several days, that Senate Bill No. 196, an act to legalize the election of boards of trustees, and of all the other officers of the town of Bloomington, Monroe county, Indiana, for the years 1873 and 1874, and to legalize all of their official acts by laws, ordinances, regulations and proceedings passed, adopted and executed by them, under and in pursuance of

an act entitled "An act for the incorporation of towns, defining their powers, providing for the election of officers thereof, and declaring their duties," approved June 11, 1852, may be read a second time by title, and a third time by sections, now.

The ayes and noes being taken under the rule,

Those who voted in the affirmative were,

Messrs. Baxter, Bearss, Bell, Boone, Bowman, Bunyan, Cardwell, Chapman, Culbertson, Daggy, Davidson, Dykeman, Friedley of Lawrence, Friedley of Scott, Givan, Gooding, Grove, Hackleman, Harney, Haworth, Henderson, Hendricks, Hough, Howard, Humphries, Johnston of Parke, LaRue; Major, Maxwell, Neff, Oliver, Peed, Ringo, Scott, Skinner, Slater, Smith, Thompson, Tobin, Underwood, Wilson and Winterbotham—42.

No Senator voting in the negative.

So the constitutional rule was suspended and the bill read a second time by title and a third time by sections.

Mr. Friedley of Lawrence moved to strike out the preamble.

Which was agreed to unanimously.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Baxter, Bell, Boone, Bowman, Bunyan, Cardwell, Chapman, Oree, Culbertson, Daggy, Davidson, Dykeman, Friedley of Lawrence, Friedley of Scott, Givan, Gooding, Grove, Hackleman, Harney, Haworth, Henderson, Hendricks, Hough, Humphries, Johnson of Floyd, Johnston of Parke, LaRue, Major, Maxwell, Peed, Ringo, Roe, Scott, Tobin and Underwood—37.

Mr. Slater voted in the negative.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Ordered, that the Secretary inform the House of the passage of the bill.

By consent, Mr. Boone introduced

Senate Bill No. 337. A bill to legalize the election of the officers of the town of Zionsville.

Was read a first time and referred, (with a petition from the citizens of Boone county, on the same subject), to the Committee on Corporations.

By unanimous consent, Engrossed Senate Bill No. 207, a bill providing for the enclosure of lands subject to overflow, and declaring an emergency, was taken up.

Mr. Davidson moved that the constitutional rule requiring bills to be read on three several days be suspended, that the bill may be read a second time by title and third time by sections now.

The ayes and nays being taken under the rule,

Those who voted in the affirmative were

Messrs. Baxter, Beardsley, Bearss, Boone, Bowman, Bunyan, Cardwell, Chapman, Cree, Culbertson, Daggy, Davidson, Dykeman, Friedley of Lawrence, Friedley of Scott, Givan, Gooding, Grove, Hackleman, Harney, Haworth, Henderson, Hendricks, Hough, Howard, Humphries, Johnson of Floyd, LaRue, Major, Maxwell, Neff, Peed, Ringo, Roe, Sarnighausen, Scott, Skinner, Slater, Thompson, Tobin, Underwood, Wilson and Winterbotham—43.

No Senator voting in the negative.

So the constitutional rule was suspended and the bill read a second time by title and a third time now by sections.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bearss, Bell, Boone, Bowman, Bunyan, Cardwell, Chapman, Cree, Culbertson, Daggy, Davidson,

Dykeman, Friedley of Lawrence, Friedley of Scott, Givan, Gooding, Hackleman, Harney, Haworth, Henderson, Hendricks, Howard, Hough, Johnson of Floyd, LaRue, Major, Maxwell, Neff, Oliver, Peed, Ringo, Roe, Sarnighausen, Scott, Slater, Smith, Thompson and Tobin—41.

Those who voted in the negative were,

Messrs. Grove, Humphries and Johnston of Parke—3.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Ordered, that the Secretary inform the House of the passage of the bill.

Message from the House by Mr. Holmes, Clerk thereof.

MR. PRESIDENT:

I am directed by the Speaker of the House to inform the Senate that the House has passed the following Engrossed House Bills to wit.:

House Bill No. 338, entitled "An act to amend section four of an act entitled 'an act to establish a home for the maintenance of sick and disabled Indiana soldiers and seamen and their orphans and widows,' approved March 11, 1867, as amended by section one of an act entitled "An act to amend sections 4, 13 and 15 of an act entitled 'an act to establish a home for the maintenance of sick and disabled Indiana soldiers and seamen and their orphans and widows,'" approved March 11, 1867, and supplementary to said act, approved May 14, 1869, and declaring an emergency.

Also, Engrossed House Bill No. 339. Entitled "An act for the encouragement of manufacturing companies."

Also, Engrossed House Bill No. 368, entitled "An act providing

for the incorporation of State, district and county horticultural associations, describing their powers and duties and privileges and matters properly connected therewith, and declaring an emergency.

Also, Engrossed House Bill No. 403, entitled "An act to legalize the incorporation of the town of Tipton, Tipton county, Indiana, and the official acts of the boards of trustees of said town and all other officers of said corporation under an act for the incorporation of towns, defining their powers, providing for the election of the officers thereof, and declaring their duties," approved June 11, 1852, and by-laws, rules and regulations and proceedings adopted in pursuance thereof.

Also, House Bill No. 410, entitled "An act to legalize the official acts of the board of trustees of any town incorporated under the law of this State, etc.," and the same are herewith transmitted to the Senate.

Engrossed Senate Bill No. 255, an act supplemental to an act to establish Superior Courts, defining their jurisdiction, and providing for the election and compensation of the judges thereof," approved February 15, 1871.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bearss, Bunyan, Cardwell, Chapman, Daggy, Davidson, Dykeman, Friedley of Lawrence, Gooding, Hackleman, Harney, Haworth, Henderson, Hendricks, Hough, Johnston of Parke, LaRue, Majcr, Neff, Oliver, Roe, Sarnighausen, Scott, Smith, Thompson, Tobin, Underwood and Winterbotham—31.

Those who voted in the negative were,

Messrs. Boone, Bowman, Culbertson, Givan, Humphries, Maxwell, Peed, Ringo, Slater and Wilson—10.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Ordered, that the Secretary inform the House of the passage of the bill.

Engrossed Senate Bill No. 117. An act to amend section 19 of an act entitled "An act prescribing the powers and duties of justices of the peace."

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bearss, Boone, Bunyan, Cardwell, Chapman, Cree, Daggy, Davidson, Dykeman, Givan, Hackleman, Harney, Haworth, Henderson, Hendricks, Humphries, Johnston of Parke, LaRue, Maxwell, Neff, Oliver, Peed, Thompson, Tobin and Underwood—27.

Those who voted in the negative were,

Messrs. Bell, Gooding, Grove, Howard, Johnson of Floyd, Major, Ringo, Roe, Sarnighausen, Scott, Slater, Wilson and Winterbotham—13.

So the bill passed.

The question being, shall the title as read stand as the title of the bill.

It was so ordered.

Ordered, that the Secretary inform the House of the passage of the bill.

Engrossed Senate Bill No. 132, an act to authorize any incorporated city in the State, in which a harbor is situated, to lease parts

of streets abutting on such harbor, and to collect dockage from the lessees.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bearss, Bell, Bunyan, Cardwell, Chapman, Cree, Culbertson, Daggy, Dykeman, Friedley of Lawrence, Givan, Gooding, Grove, Hackleman, Harney, Haworth, Henderson, Hendricks, Hough, Howard, Humphries, LaRue, Major, Neff, Oliver, Peed, Ringo, Roe, Sarnighausen, Scott, Slater, Thompson, Tobin, Underwood, Wilson and Winterbotham—39.

Senators Johnston of Parke and Maxwell voting in the negative.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Ordered, that the Secretary inform the House of the passage of the bill.

Engrossed Senate Bill No. 123. A bill to amend section 1 of an act entitled "An act to amend an act entitled 'an act providing for the election or appointment of supervisors of highways and prescribing certain of their duties and those of county and township officers in relation thereto,'" approved March 5, 1859, approved December 20, 1865.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Baxter, Bearss, Bunyan, Cardwell, Chapman, Culbertson, Daggy, Davidson, Dykeman, Friedley of Lawrence, Gooding,

Hackleman, Harney, Haworth, Howard, Johnson of Floyd, Johnston of Parke, LaRue, Major, Maxwell, Oliver, Ringo, Roe, Scott, Slater, Thompson, Tobin, Underwood and Winterbotham—29.

Those who voted in the negative were,

Messrs. Beardsley, Bell, Bowman, Cree, Givan, Grove, Humphries, Neff, Peed, Sarnighausen and Wilson—11.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Ordered, that the Secretary inform the House of the passage of the bill.

Engrossed Senate Bill No. 198. A bill to amend sections 7 and 9 of an act entitled "An act to authorize and limit allowances by courts and boards, and repealing all laws in conflict with this act and declaring an emergency,

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Bearss, Bell, Bowman, Cardwell, Cree, Culbertson, Daggy, Davidson, Dykeman, Gooding, Grove, Harney, Haworth, Henderson, Hendricks, Hough, Howard, Humphries, Johnson of Floyd, Johnston of Parke, Major, Maxwell, Neff, Oliver, Peed, Roe, Sarnighausen, Slater, Thompson, Tobin, Wilson and Winterbotham—32.

Those who voted in the negative were,

Messrs. Baxter, Bunyan, Chapman, Hackleman, LaRue, Scott and Underwood—7.

So the bill passed.

The question being, shall the bill as read stand as the title of the bill?

It was so ordered.

Ordered, that the Secretary inform the House of the passage of the bill.

By unanimous consent, Engrossed House Bill No. 190, a bill to amend the 5th section of an act entitled "an act to prohibit the collection of tolls on gravel, turnpike, and macadamized and plank roads in certain cases, and to provide the mode of declaring charters of such roads forfeited in certain cases and repealing all laws inconsistent therewith," approved March 5, 1859, and declaring an emergency,

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Baxter, Bearss, Bell, Bowman, Bunyan, Cardwell, Chapman, Cree, Culbertson, Daggy, Dykeman, Friedley of Lawrence, Gooding, Hackleman, Haworth, Hendricks, Howard, Johnston of Parke, Maxwell, Peed, Ringo, Roe, Sarnighausen, Scott, Slater, Thompson, Tobin, Underwood, Wilson and Winterbotham—30.

Those who voted in the negative were,

Messrs. Givan, Grove, Harney, Henderson, Humphries, LaRue, Major and Neff—8.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Ordered, that the Secretary inform the House of the passage of the bill.

Mr. Wilson, from the Committee on Enrolled Bills, made the following report :

MR. PRESIDENT :

The Committee on Enrolled Bills report that they have examined Enrolled Senate Act No. 155, an act concerning the organization and perpetuity of voluntary associations, etc., and find the same correctly enrolled.

On motion, by Mr. Johnston, of Parke, the Senate adjourned.

LEONIDAS SEXTON,

President of the Senate.

WEDNESDAY MORNING,

FEBRUARY 24, 1875—10 O'CLOCK.

Senate assembled, President in the chair.

The Throne of Grace was addressed by the Rev. W. F. Harned, Presiding Elder of the M. E. Church.

Journal of yesterday read and approved.

By unanimous consent the House concurrent resolution for the election of Trustees for the Blind Asylum was taken up.

Mr. Harney moved that the concurrent resolution be referred to the Committee on Judiciary, with instructions to report to-morrow morning.

Which was agreed to, and the resolution so referred.

Mr. Johnston of Parke, from the Committee on Enrolled Bills, made the following report :

That they have carefully examined Senate Enrolled Act No. 130, an act to amend section 54 of the act to revise, simplify and abridge, etc., and find the same correctly enrolled.

Report by Mr. Sarnighausen, from Select Committee :

MR. PRESIDENT:

Your Select Committee on the Wabash and Erie Canal, to whom was referred a communication of the Governor in reference to a claim made by the Board of Trustees of said land for repayment of certain expenses incurred by the board, have had the same under consideration, and instructed me to report it back with the recommendation that it be referred to the Committee on Claims.

Was concurred in and the report referred to the Committee on Claims.

By unanimous consent Mr. Peed introduced

Senate Bill No. 338. A bill to provide for the filling of certain vacancies herein mentioned.

Was read a first time and referred to the Committee on Judiciary.

By unanimous consent Mr. Slater introduced

Senate Bill No. 339. A bill providing for the election of prosecuting and district attorneys, and prescribing certain duties thereof, etc.

Was read a first time and referred to the Committee on Judiciary.

Mr. Bell moved to take up the Governor's message recommending certain appointments, etc.

Which was agreed to, and on motion by Mr. Chapman the message was referred to the Committee on Judiciary.

On motion by Mr. Winterbotham Senate Bill No. 291 was taken up and referred to the Committee on Judiciary.

REPORTS OF STANDING COMMITTEES.

By Mr. Chapman.

MR. PRESIDENT :

Your Committee on Finance, to whom was referred Senate Bill No. 335, being an act to amend section 269 of an act to provide for a uniform assessment of property and for the collection and return of taxes thereon," approved December 21, 1872, have had the same under consideration and have instructed me to report the same back to the Senate, and recommend its passage.

Was placed on the calendar.

By Mr. Chapman.

MR. PRESIDENT :

Your Committee on Finance, to whom was referred concurrent joint resolution No. 1, submitted by the joint committee on public building have had the same under consideration and have directed me to report the same back with the recommendation that it do pass.

Was placed on the calendar.

By Mr. Chapman.

MR. PRESIDENT :

Your Committee on Finance, to whom was referred Senate Bill No. 256, a bill to enforce the collection of delinquent taxes by judicial proceedings, have had the same under consideration, but on account of time did not give it that care and attention it demands, but believing that something should be done to facilitate the collection of delinquent taxes, we therefore, so far as we examined the bill, recommend its passage.

Was placed on the calendar.

By Mr. Hough.

MR. PRESIDENT :

The Committee on Corporations to whom was referred Senate

Bill No. 302, entitled "An act to change the name of the Widows and Orphans Asylum of Indianapolis, to the Indianapolis Orphan Asylum, have had the same under consideration and have directed me to report the same back to the Senate with the recommendation that the same be amended as follows:

1. By striking out, etc., in line 1, and inserting in lieu thereof the words "by the General Assembly of the State of Indiana."

2. By adding the following words to section 2: *Provided, however,* That from and after the taking effect of this act said corporation shall limit its charities to orphans and indigent children.

3. Amend further by adding the following section thereto: Section 3. An emergency is hereby declared to exist for the immediate taking effect of this act, the same shall therefore take effect and be in force from and after its passage.

Was placed on the calendar.

By Mr. Roe.

MR. PRESIDENT:

The Committee on Agriculture, to whom was referred Engrossed House Bill No. 225, an act appropriating five hundred dollars per annum to the Indiana Horticultural Society, prescribing when and to whom it shall be payable, and how it shall be used by said society, have had the same under consideration, and have directed me to report the same back with the recommendation that the same do pass.

Was placed on the calendar.

By Mr. Hough.

MR. PRESIDENT:

The Committee on Public Printing, to whom was referred Senate Bill No. 268, being a bill to provide for the public printing and binding, have had the same under consideration, and have directed me to report the same back to the Senate with the recommendation that the same be amended as follows, to-wit:

1. Amend section 2 by inserting after the word "not," in line 29, the following words: "Less than three more." Also, by striking out all between the word "State," in line 31, and the word "for," in line 34. Also, by striking out all between the word "years," in line 38, and the word "according," in line 39. Also, by striking out the word "July," in line 49, and inserting in lieu thereof the word "January." Also, by striking out the word "November," in line 50, and inserting in lieu thereof the word "July."

2d. Amend section 3 by striking out all between the words "he" in line 12, and the word "under," in line 13. Also, by striking out all between the word "paid," in line 24, and the word "per," in line 26, and inserting in lieu thereof the following, "for his services as such, such reasonable compensation as said commissioners may determine, not exceeding in the aggregate the sum of nine hundred dollars." Also, by striking out all after the word "year," in line 26, and insert in lieu thereof the following, "out of the Treasury of the State, upon the warrant of the Auditor of State, upon the allowance and by the authority of said commissioners, in quarterly installments, and said commissioners may at any time, for reasons satisfactory to themselves, discharge any clerk appointed by them under the provisions of this act, and appoint his successor."

3d. Amend section 4 by striking out all between the word "therein," in line 5, and the word "and," in line 16, and inserting in lieu thereof, "clerk in charge of the Bureau of Public Printing and Stationery." Also, by striking out all between the word "the," in line 25, and the word "public," in line 26, and insert in lieu thereof the following, "clerk in charge of the Bureau of Public Printing and Stationery, shall, with the approval of the Commissioners of the Public Printing and Binding."

4th. Amend section 5 by striking out all between the word "if," in line 1, and the word shall," in line 3, and inserting in lieu thereof the following, "the clerk in charge of the Bureau of Public Printing and Stationery."

5th. Amend section 6 by striking out all between the word "commissioner," in line 8, and the word in line 10, and inserting in lieu thereof "and Clerk in this act before named."

6th. Further amend the bill by adding the following section thereto :

Sec. 9. An emergency is hereby declared to exist for the immediate taking effect of this act, the same shall therefore take effect and be in force from and after its passage. And when so amended that the bill do pass.

Was placed on the calendar.

By Mr. Neff.

MR. PRESIDENT :

The Committee on Temperance, to whom was referred Senate Bill No. 2, a bill to regulate and license the sale of spirituous liquors, etc., have had the same under consideration, and would report the same back to the Senate with the recommendation that the same do lie on the table, as the committee have already recommended the passage of a bill embodying their views on this subject which has passed the Senate.

Was concurred in and the bill laid on the table.

By Mr. Howard.

MR. PRESIDENT :

The Committee on County and Township Business, to whom was referred Engrossed House Bill No, 214, an act to amend section 50 of an act entitled "An act for the incorporation of towns, defining their powers, providing for the election of the officers thereof, and declaring their duties," approved June 11, 1852, have had the same under consideration and have directed me to report the same back to the Senate with the recommendation that the same do pass.

Was placed on the calendar.

By Mr. Underwood.

MR. PRESIDENT :

Your Committee on County and Township Business, to whom

was referred Engrossed House Bill No. 23, an act making it the duty of county commissioners to procure for their respective counties at the expense thereof, certified copies of the records effecting land in said counties from the office of the Commissioner of General Land Office of the United States, of the Secretary of State of the State of Indiana and of the trustees of the Wabash and Erie Canal, said certified copies to be placed in the recorder's office of the several counties, there to be kept in book form and consulted in the same manner as other records therein are kept, have had the same under consideration and have directed me to report the same back to the Senate with the recommendation that the same do lie on the table.

Which was concurred in and the bill laid on the table.

By Mr. Wilson.

MR. PRESIDENT:

The Committee on County and Township Business, to whom was referred Senate Bill No. 329, a bill to amend an act to provide for the opening, vacating and change of highways, approved June 17, 1852, have had the same under consideration and, have directed me to report the same back to the Senate with the following amendments:

Amend the enacting clause so that the same shall read as follows, to-wit:

Be it enacted by the General Assembly of the State of Indiana,
That section 21 of an act to amend an act to provide for the opening, vacating and change of highways, approved June 17, 1852.
And when so amended recommend its passage.

Was placed on the calendar.

By Mr. Wilson.

MR. PRESIDENT:

The Committee on County and Township Business, to whom was referred Senate Bill No. 331, introduced by Mr. Howard, being an act to amend the 135th section of an act entitled "An act to provide for a uniform assessment of property and for the collection and

return of taxes thereon," approved December 21, 1872, have had the same under consideration and instructed me to report the same back to the Senate with a recommendation that the same do pass.

Was placed on the calendar.

By Mr. Major :

MR. PRESIDENT :

Your Committee on County and Township Business, to whom was referred Senate Bill No. 325, entitled "A bill relating to the survey of lands by establishing monuments of meridian so as to secure accurate surveys and for other purposes," have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do lie upon the table.

The report of the Committee on County and Township Business was concurred in and the bill laid on the table.

By Mr. Grove :

MR. PRESIDENT :

Your Committee on County and Township Business, to whom was referred Engrossed House Bill No. 108, entitled "A bill limiting the powers of County Commissioners," have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do lie on the table.

Which was concurred in and the bill laid on the table.

By Mr. Johnston of Parke :

MR. PRESIDENT :

The Committee on the Rights and Privileges of the Inhabitants of the State, to whom was referred House Bill No. 237, entitled "A bill legalizing the record and acknowledgments of deeds and mortgages heretofore recorded in any county of this State, when the official character of the officers taking the acknowledgments were not certified to, as required by law, and authorizing the records of

such deeds and mortgages to be read in evidence, and making such record notice to third persons,' have had the same under consideration and recommend the passage of the same.

Was placed on the calendar.

By Mr. Haworth.

MR. PRESIDENT:

The Committee on Reformatory Institutions report that they have visited the House of Refuge for Boys at Plainfield and while there they carefully examined the book of accounts and vouchers and find them kept systematically, showing receipts and expenditures, and improvements. From an inspection of the accounts and of the improvements made to the institution since the last session of the Legislature, we are satisfied that the institution has been conducted with a view to economy, and that the appropriation of last session has been carefully and judiciously expended. The capacity of the institution, by additional buildings, has been augmented so that when finished it will accommodate 350 inmates. This increase of accommodation was much needed in order to relieve the crowded condition of our penitentiaries. When we consider that the inmates of this institution are vicious boys and juvenile offenders, and the report shows the reformation of sixty per cent. of its inmates and considerable improvement to others, we can readily understand how important it is to the safety and welfare of the State. As much as possible they are brought under the influence of moral training. Out-door and farm labor is found to be the most efficient in reforming the inmates. With an increase of inmates additional land should be furnished. We therefore indorse the recommendation of the Governor that additional farm land should be purchased. It is necessary to give employment to the boys and to provide supplies for the institution. With a view to this end our attention has been called to about one hundred and sixty-five acres of farm land adjoining the institution. This land can be purchased at from thirteen to fifteen thousand dollars. A carefully prepared estimate of the amount required to support the institution the coming two years show that seventy-five thousand dollars will be required, with the strictest economy, and to that thirteen thousand dollars for purchase

of the land, and the amount wanted is \$88,000. But your committee are of the opinion that if the land should be bought, considerable produce might be raised thereon during the ensuing two years which might go toward the support of the institution. They therefore would recommend that an appropriation of \$88,000 be made for the support of the institution the ensuing two years and for the purpose of purchasing the land, believing that with proper management and the strictest economy said amount will answer. With a view to the purchase of said land we offer an accompanying bill, and recommend its passage, empowering the Governor and Managers to act in said matter.

Senate Bill No. 340. A bill providing for the purchase of additional land for the use of the House of Refuge.

Was read a first time and referred to the Committee on Finance.

Mr. Bell gave notice that he would make a minority report on the same subject.

Message from the House by Mr. Holmes, Clerk thereof :

MR. PRESIDENT :

I am directed by the Speaker of the House to inform the Senate that he has signed Enrolled Senate Act No. 130, An act to amend section 54 of the act to revise, simplify, etc.

Also, Enrolled Senate Act No. 155, an act supplemental to an act concerning the organization and perpetuity of voluntary associations and repealing an act entitled "An act concerning the organization of voluntary associations, and repealing former laws in relation thereto, etc., and the same are herewith returned to the Senate.

Report by Mr. Baxter :

MR. PRESIDENT :

The Reformatory Committee have visited the Reformatory Institution for women and girls, and on close inspection and investigation were satisfied that the institution is carefully and judiciously managed, and so far it has realized the expectations of the Board of

Managers. The industrial, intellectual and moral training, both in the penal and reformatory departments, are accomplishing the purposes for which the institution was founded. After a period of less than two years, the institution has demonstrated the wisdom of providing a separate prison for penal convicts. The probability of their reformation is thereby greatly increased. Knowing that this is the only institution of its kind in this country, and that its progress is watched with the deepest interest, not only in our own State but throughout Europe, we feel considerable pride in the marked success which has attended it so far. If means could be devised by which regular daily remunerative employment could be furnished to all the inmates, it would contribute largely to the success of the institution. There are now 32 persons in the penal and nearly 100 in the reformatory department. We noticed one material defect in the institution, viz., that the wash-house is in the basement. This necessarily diffuses the steam arising therefrom more or less over the institution, thereby not only injuring the property but also acting disastrously to the health of the inmates. We therefore strongly recommend that a wash-house be built on the ground floor. It is also important that the grounds of the institution should be graded and safely fenced in, so that the inmates may have out-door exercise, without a chance of escape. The building in the present condition is not safe from fire; means should be provided to protect it. With a view to effect these improvements we recommend \$20,000 for improvements. We recommend the passage of the accompanying bill.

Senate Bill No. 341. A bill to amend section 21 of an act entitled "An act to establish a female prison and reformatory institution for girls and women, to provide for the organization and government thereof, and making appropriations," approved May 13, 1869.

Was read a first time.

Mr. Baxter moved to suspend the constitutional rule requiring bills to be read on three several days, that the bill may be read a second time by title, and a third time by sections now.

The ayes and noes being taken under the rule.

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bearss, Bell, Boone, Bowman, Bunyan, Cardwell, Chapman, Cree, Culbertson, Daggy, Davidson, Dykeman, Friedley of Lawrence, Givan, Hackleman, Harney, Haworth, Henderson, Hough, Humphries, Johnston of Parke, LaRue, Major, Maxwell, Neff, Oliver, Peed, Ringo, Sarnighausen, Scott, Skinner, Slater, Sleeth, Smith, Thompson, Tobin, Underwood, Wilson and Winterbotbam—41.

No Senator voting in the negative.

So the constitutional rule was suspended and the bill read a second time by title, considered engrossed, and read a third time by sections.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bearss, Bell, Boone, Bowman, Bunyan, Cardwell, Chapman, Cree, Culbertson, Daggy, Davidson, Dykeman, Friedley of Lawrence, Givan, Hackleman, Haworth, Henderson, Hough, Humphries, Johnston of Parke, LaRue, Major, Maxwell, Neff, Oliver, Peed, Ringo, Sarnighausen, Scott, Slater, Sleeth, Smith, Thompson, Tobin, Underwood, Wilson and Winterbotham—39.

No Senator voting in the negative.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Ordered, that the Secretary inform the House of the passage of the bill.

Report by Mr. Thompson.

MR. PRESIDENT :

Your Committee on Insurance, to whom was referred Senate Bill No. 222, a bill in reference to the organization of insurance companies, their powers and duties, etc., have had the same under consideration and have instructed me to report the same back without recommendation.

Was placed on the calendar.

By Mr. Thompson.

MR. PRESIDENT :

Your Committee on Benevolent Institutions to whom was referred Senate Bill No. 313, a bill to secure the right of way to railroad stations, etc., have had the same under consideration and have instructed me to return the bill to the Senate with the recommendation that the bill be indefinitely postponed.

Was concurred in and the bill indefinitely postponed.

By Mr. Boone, from the Joint Committee on Titles.

MR. PRESIDENT :

The Joint Committee on Titles, to whom was referred Senate Bill No. 15, an act to regulate the sale of intoxicating liquors, to provide against drunkenness, prescribing penalties, to repeal all laws contravening the provisions of this act, and declaring an emergency, have had the same under consideration, and have instructed me to report the same back to the Senate with the following amendments: Strike out the title and insert in lieu thereof the following: A bill declaring it unlawful to sell, barter or give away intoxicating liquors, except for the purposes specified, without a license, defining the terms and conditions upon which such license may be procured and the cause for which the same may be forfeited, declaring it criminal to sell, give, buy for or furnish liquors to a minor, intoxicated person or to a person in the habit of becoming intoxicated, persons of unsound mind, for minors to make false representations to procure intoxicating liquors, for a person of sound mind to become intoxicated, for selling, bartering or giving away or purchasing such liquors on certain specified days, declaring certain

places public nuisances, and how abated, prescribing when houses where liquors are sold shall be closed, giving rights of action against persons causing intoxication, declaring who may be compelled to testify, and prescribing fines and penalties for the violation of all the provisions of this act, defining the jurisdiction of courts in the enforcement of this law, and the powers and duties of common councils of cities and boards of trustees of incorporated towns under the provisions of this act, and recommend the adoption of the same as the title to the bill.

The report of the Committee was concurred in, and the title as amended agreed to.

By Mr. Boone, from the same committee.

MR. PRESIDENT :

The Joint Committee on Titles, to whom was referred Senate Bill No. 281, have had the same under consideration, and have instructed me to report the same back with the following amendments: Strike out the title and substitute in lieu thereof the following: A bill to amend section 1 of an act entitled "An act to amend the first section of an act for the incorporation of manufacturing and mining companies," etc., which became a law by lapse of time, December 27, 1872, and recommend the adoption of the same as the title of the bill.

The report of the committee was concurred in, and the title as amended was agreed to.

By Mr. Thompson.

MR. PRESIDENT :

Your Committee on Insurance have considered Engrossed House Bill No. 340, a bill to amend section 14 of an act regulating foreign insurance companies, and recommend that the same do pass.

Was placed on the calendar.

By Mr. Sleeth :

MR. PRESIDENT:

The Committee on Corporations, to whom was referred Engrossed House Bill No. 220, a bill providing for the incorporation of companies for the purpose of constructing bridges for railway purposes, etc., have had the same under consideration and direct me to report the same back with a recommendation that it do pass.

Was placed on the calendar.

By Mr. Sleeth:

MR. PRESIDENT:

The Committee on Judiciary, to whom was referred Senate Bill No. 231, a bill for the encouragement of manufacturing companies, have had the same under consideration and have instructed me to report the same back with the recommendation that it pass.

Was placed on the calendar.

Report by Mr. Scott:

MR. PRESIDENT:

The Committee on Mines and Mining, to whom was referred Engrossed House Bill No. 290, a bill regulating the working of coal mines, and providing penalties for the violation thereof, providing for the appointment and qualification of mine inspectors, and prescribing his duties, and declaring an emergency, have had the same under consideration and a majority of said committee have directed me to report the same back to the Senate with the following amendments, to-wit:

Amend section 1 by striking out all after the word "state," in line 15, page 1, and in lieu thereof insert the following:

"Shall report to the coal inspector within six months after the passage of this act, and every six months thereafter the depth of his mine generally below the surface, the number of veins worked, and the general thickness, and the course and distance from the main entrance in each direction towards the adjoining proprietor, or his agent, to enter the mine and measure the direction of the excavation

for the purpose of ascertaining the nearness of the same to each adjoining proprietor."

Also, amend section second by striking out in line 10, page 4, the words "map or plan," and insert in lieu thereof the word "reports," and by striking out the words "map or plan," in line 13, page 4, and insert in lieu thereof the words "reports as specified in section one."

Also, amend section three by striking out the words "one hundred," in line 14, page 6, and in lieu thereof insert the word "seventy-five."

Also, amend such section by adding thereto after the word "act" in line 14, page 7, the following proviso, to-wit: Provided, that the provisions of this section shall not apply to mines which have not been mined 100 feet in lateral direction from the main entrance shaft.

Also, amend section 5 by striking out all after the word "mine," in line 12, page 9, and insert the word "seventy-five feet."

Also, amend section 6 by striking out the word "forty," in line 8, page 10, and insert in lieu thereof the word "ten."

Also, amend section 7 by striking out all after the word "therein," in line 16, page 11.

Also, amend section 8 by striking out all after the word "more," in line 5, page 13, and in lieu thereof insert the following, "men ride in any cage than can ride with safety."

Also, amend section 9 by inserting after the word "travel," in line 10, page 14, the words "where the entry or gangway is not sufficiently wide for safety," and by striking out the word "twenty," after the word "than," in line 14, page 14, and in lieu thereof insert the word "forty." Strike out section 10.

Also, amend section 11 by striking out all after the word "act," in line 2, page 18, down to the word "requirements," in line 4, page 19, down to the word "he," and by striking out the words,

"in an annual," in line 11, page 20, and insert in lieu thereof the words "as soon as practicable," and insert after the word "annual," on same page and in same line, the article "A."

Amend section 14 by striking out the words "hoisting a loaded box or car," on page 26, in lines 2 and 3, and insert in lieu thereof the following, "lowering the cage, or some other examination to test the safety of the rope." Strike out section 15.

Also, amend section 16 by inserting after the word "imprisonment," on page 28, line 8, the words "county jail."

Also, amend by striking out section 17, and inserting the following: That if any person or persons, or combination of persons shall, by threat or intimidation, or by posting up or circulating written or printed notices calculated to intimidate or prevent any person or persons from working at any lawful business or employment, such person or persons so offending shall be deemed guilty of a misdemeanor, and upon conviction shall be fined in any sum not less than one nor more than one hundred dollars for each and every such offence; to which may be added imprisonment of not less than ten days nor more than six months in the county jail, and it shall be sufficient proof of such offence to show that such person or persons, or combination of persons aided, abetted, coincided, or averred such threat or intimidation.

Also, amend further by inserting the following section: Section 18. The State Geologist, as a part of the duties of his office, shall have the inspection and care of all matters connected with the mining interests of this State; may appoint a deputy, and shall be allowed for the additional service herein required, and the pay of such deputy, the sum of fifteen hundred dollars, to be paid quarterly out of the public treasury, and shall by himself or deputy discharge all the duties of mine inspector required in this act, and that when so amended your committee recommend its passage.

Was placed on the calendar.

RESOLUTIONS.

Mr. LaRue offered the following resolution :

Resolved, That the Committee on Insurance be instructed to report back to the Senate Senate Bill No. 263, an act to amend the charter of the Lafayette Insurance Company.

Which was adopted.

Mr. Thompson offered the following concurrent resolution :

Be it resolved by the Senate, the House concurring therein, That it is of great importance to the people of Indiana that the State should be suitably represented at the centennial exposition which is to be held in Philadelphia in 1876, and that the agricultural, mineral and manufacturing production ought to be prominently placed on exhibition there so as to make known our great resources abroad; therefore, be it

Resolved, That a joint committee of three from the Senate and three from the House be appointed to take this important subject under consideration and report as early as possible the best means of accomplishing the object of this resolution. .

Which was adopted.

SENATE BILLS ON FIRST READING.

Mr. Ringo introduced

Senate Bill No. 342. A bill to exempt property from sale in certain cases, and providing when the act shall go into effect.

Was read a first time and referred to the Committee on Judiciary.

Mr. Sleeth introduced

Senate Bill No. 343. A bill for an act to amend section 3 of an act entitled "An act regulating foreign insurance companies doing business in this State, prescribing duties," etc.

Was read a first time.

Mr. Sleeth moved that the constitutional rule requiring bills to

be read on three several days be suspended that the bill may be read a second time by title, and a third time by sections now.

The ayes and noes being taken under the rule,

Those voting in the affirmative were,

Messrs. Baxter, Beardsley, Bearss, Bunyan, Cardwell, Chapman, Cragg, Daggy, Friedley of Lawrence, Givan, Gooding, Grove, Hackleman, Haworth, Hough, Johnston of Parke, LaRue, Neff, Oliver, Peed, Ringo, Roe, Scott, Sleeth, Smith, Thompson Tobin, Underwood and Wilson—29.

Those who voted in the negative were,

Messrs. Bell, Boone, Bowman, Culbertson, Davidson, Dykeman, Harney, Henderson, Humphries, Major, Maxwell, Sarnighausen, Slater and Winterbotham—14.

So the constitutional rule was not suspended.

On motion, by Mr. Sleeth, the bill was made a special order for to-morrow morning 9 o'clock.

Mr. Johnston of Parke, made the following report on enrolled bills:

MR. PRESIDENT:

Your Committee on Enrolled Bills have this day presented to the Governor for his signature the following enrolled bills, to-wit:

Enrolled Senate Bill No. 130, entitled "A bill to amend section 54 of an act entitled "An act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in courts of this State, to abolish distinct forms of action at law and to provide for the administration of justice in a uniform mode of pleading and practice without distinction between law and equity," approved June 18, 1852.

Also, Enrolled Senate Bill No. 155, entitled "A bill supplemental to an act concerning the organization and perpetuity of voluntary associations, and repealing an act entitled 'an act concerning

the organization of voluntary associations, and repealing former laws in reference thereto,' " approved February 12, 1855.

Mr. Friedley of Lawrence introduced

Senate Bill No. 344. A bill for the relief of Alexander D. Carmichael, Christopher C. Whisenand, James Dood and others.

Was read a first time and referred, with a petition from citizens of Monroe county on the same subject, to the Committee on Judiciary.

Mr. Oliver introduced

Senate Bill No. 345. A bill making the writing, printing or publishing of a libel unlawful, and prescribing the punishment therefor.

Was read a first time and referred to the Committee on Judiciary.

Leave of absence was granted Mr. Hendricks for the remainder of the day.

Mr. Wilson introduced

Senate Bill No. 346. A bill to amend the 7th section of an act approved May 13, 1869, entitled "An act repealing sections 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 19, 20, 21 and 22, of an act to provide for the registry of voters, etc.

Was read a first time and referred to the Committee on Judiciary.

On motion by Mr. Gooding, Senate Bills on third reading were taken up.

Engrossed Senate Bill No. 292. A bill to amend the law for the incorporation of cities, etc.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bell, Boone, Bunyan, Cardwell, Chapman, Culbertson, Daggy, Davidson, Dykeman, Friedley of Lawrence, Givan, Gooding, Grove, Hackleman, Harney, Haworth, Henderson, Hough, Humphries, Johnston of Parke, LaRue, Major, Maxwell, Neff, Oliver, Peed, Ringo, Roe, Sarnighausen, Scott, Skinner, Sleeth, Smith, Thompson, Tobin, Underwood, Wilson and Winterbotham—40.

Mr. Slater voting in the negative.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Ordered, that the Secretary inform the House of the passage of the bill.

Engrossed Senate Bill No. 212. A bill authorizing criminal judges in this State to issue writs of *habeas corpus*, etc.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bearss, Bell, Boone, Bowman, Bunyan, Cardwell, Chapman, Culbertson, Daggy, Davidson, Dykeman, Givan, Gooding, Grove, Hackleman, Harney, Haworth, Henderson, Hough, Humphries, Johnston of Parke, LaRue, Major, Maxwell, Neff, Peed, Ringo, Roe, Sarnighausen, Scott, Skinner, Slater, Smith, Thompson, Tobin, Underwood, Wilson and Winterbotham—40.

No Senator voting in the negative.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Ordered, that the Secretary inform the House of the passage of the bill.

Engrossed Senate Bill No. 219. A bill to aid in the construction of railroads by counties and townships, etc.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bell, Chapman, Cree, Culbertson, Daggy, Davidson, Dykeman, Friedley of Lawrence, Gooding, Hackleman, Harney, Haworth, Henderson, Hough, Humphries, Johnston of Parke, Major, Maxwell, Oliver, Peed, Ringo, Scott, Thompson, Tobin and Underwood—27.

Those who voted in the negative were,

Messrs. Bearss, Boone, Bowman, Bunyan, Cardwell, Givan, Grove, LaRue, Neff, Roe, Sarnighausen, Slater, Smith, and Winterbotham—14.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Ordered, that the Secretary inform the House of the passage of the bill.

Message from the Governor by his Private Secretary:

MR. PRESIDENT:

By direction of the Governor, I have the honor to transmit his

communication nominating a person as trustee of the Indiana State Normal School and asking the Senate to approve his appointment as such.

EXECUTIVE DEPARTMENT,

INDIANAPOLIS, February 24, 1875.

Gentlemen of the Senate :

I nominate John T. Scott, of Vigo County, as a Trustee of the Indiana State Normal School, to succeed Richard W. Thompson, to serve as such for a period of four years, and I respectfully ask that the Senate approve his appointment by me.

THOMAS A. HENDRICKS,

Governor.

Engrossed Senate Bill No. 59. A bill providing for the election or appointment of supervisors of highways, etc.

Was read a third time.

The question being, shall the bill pass ?

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Boone, Bunyan, Cardwell, Chapman, Cree, Culbertson, Daggy, Davidson, Gooding, Grove, Hackleman, Haworth, Henderson, Hough, Johnson of Parke, LaRue, Neff, Oliver, Ringo, Sarnighausen, Scott, Thompson, Tobin and Underwood—26.

Those who voted in the negative were,

Messrs. Bearss, Bell, Bowman, Dykeman, Givan, Harney, Humphries, Maxwell, Smith and Winterbotham—10.

So the bill passed.

The question being, shall the title as read stand as the title of the bill ?

It was so ordered.

Ordered, that the Secretary inform the House of the passage of the bill.

Engrossed Senate Bill No. 293. A bill to enable the incorporated cities of the State of Indiana to adopt and enforce by-laws for the purpose of securing the removal of the garbage, etc., and declaring an emergency.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bell, Boone, Bowman, Bunyan, Cardwell, Chapman, Cree, Culbertson, Daggy, Davidson, Dykema, Friedley of Lawrence, Givan, Gooding, Grove, Hackleman, Harney, Haworth, Henderson, Hough, Humphries, Johnston of Parke, LaRue, Major, Maxwell, Neff, Oliver, Peed, Ringo, Roe, Sarnighausen, Scott, Slater, Sleeth, Smith, Thompson, Tobin, Underwood and Wilson—42.

Senators Bell and Winterbotham voting in the negative.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Ordered, that the Secretary inform the House of the passage of the bill.

Engrossed Senate Bill No. 185. A bill to authorize township trustees, trustees of incorporated towns and the common councils of cities to levy a tax for school purposes, approved March 9, 1867.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Cree, Daggy, Dykeman, Friedley of Lawrence, Henderson, Humphries, Johnston of Parke, Neff and Oliver—9.

Those who voted in the negative were,

Messrs. Baxter, Beardsley, Bearss, Bell, Boone, Bowman, Bunnan, Cardwell, Chapman, Culbertson, Davidson, Givan, Gooding, Grove, Hackleman, Haworth, Hough, LaRue, Maxwell, Ringo, Roe, Scott, Slater, Sleeth, Smith, Stockslager, Thompson, Tobin, Wilson and Winterbotham—30.

So the bill failed to pass.

By unanimous consent, Mr. Sleeth offered the following resolution:

WHEREAS, The Fee and Salary Bill No. —, was by the Senate ordered printed on Friday last, and the consideration of the same is made a special order for to-morrow, and there has been ample time for the printing of the same, and

WHEREAS, It is necessary to a proper consideration of said bill that Senators have said printed bill a reasonable time before the same shall be considered; therefore,

Resolved, That the Senate Committee on Printing be requested to investigate and report to the Senate the progress made in the matter of printing the same.

Which was adopted.

Engrossed Senate Bill No. 184. A bill defining the misdemeanor of keeping houses of ill fame, the renting and leasing property to be used as a house of ill fame, and prescribing penalties therefor, and prescribing certain rules of evidence in prosecution of such offences.

Was read a third time.

The question being, shall the bill pass?

S. J.—50

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bearss, Bell, Boone, Bowman, Bunyan, Cardwell, Chapman, Cree, Culbertson, Daggy, Davidson, Dykeman, Friedley of Lawrence, Givan, Gooding, Grove, Hackleman, Haworth, Henderson, Hough, Johnston of Parke, LaRue, Major, Maxwell, Neff, Oliver, Peed, Ringo, Roe, Sarnighausen, Scott, Sleeth, Thompson, Tobin, Underwood, Wilson and Winterbotham—40.

No Senator voting in the negative.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Ordered, that the Secretary inform the House of the passage of the bill.

Report by Mr. Bell.

MR. PRESIDENT :

The Committee on Phraseology and Arrangement of Bills have had under consideration Engrossed Senate Bill No. 292, a bill to amend the law for the incorporation of cities, and herewith return the same with the report that it is correctly engrossed.

MR. PRESIDENT :

The Committee on Engrossed Bills, to whom was referred Senate Bill No. 212, a bill authorizing criminal judges in this State to issue writs of *habeas corpus*, have examined the same and find the same correctly engrossed.

By Mr. Daggy.

MR. PRESIDENT :

The Committee on Phraseology and Arrangement of Bills have

examined Engrossed Senate Bill No. 293, a bill to enable incorporated cities and towns of the State to adopt and enforce by-laws for the purpose of securing the removal of garbage, dead animals and other waste matter from their corporate or town limits, and find the same correctly engrossed.

The President announced that he had signed Enrolled Senate Act No. 130, an act to amend section 54 of the act to revise, simplify and abridge, etc.

Also, Enrolled Senate Act No. 155. An act supplemental to an act concerning the organization and perpetuity of voluntary associations, and repealing an act entitled "An act concerning the organization of voluntary associations and repealing former laws in relation thereto, etc.

Report by Mr. Johnston of Parke.

MR. PRESIDENT:

The Committee on Enrolled Bills have carefully examined Enrolled Act No. 32 an act to limit appointments to office in the punitive, reformatory and benevolent institutions of this State, and find the same correctly enrolled.

Report by Mr. Johnston of Parke.

MR. PRESIDENT:

The Committee on Enrolled Bills have examined Enrolled Senate Bill No. 89, a bill for the organization of camp meeting associations and providing for the government thereof, which we find correctly enrolled.

The President announced that he had signed Senate Enrolled Act No. 32, an act to limit appointments to office in the punitive, reformatory and benevolent institutions of the State.

Also, Senate Enrolled Act No. 89, An act for the organization of camp meeting associations and providing for the government thereof.

Report by Mr. Bell.

MR. PRESIDENT :

The Committee on Phraseology and Arrangement of Bills have had under consideration Engrossed Senate Bill No. 308, a bill to amend section 35 of an act providing for a general system of public schools, etc., and report the same correctly engrossed.

By Mr. Bell.

MR. PRESIDENT :

The Committee on Phraseology and Arrangement of Bills have had under consideration Engrossed Senate Bill No. 184, a bill defining the misdemeanor of keeping houses of ill fame, the renting and leasing of property to be used as a house of ill fame, and prescribing penalties therefor, and prescribing certain rules of evidence in prosecution of such offences, and report the same correctly engrossed.

On motion, by Mr. Sleeth, the Senate took a recess until 2 o'clock p. m.

AFTERNOON SESSION.

Senate re-assembled, President in the chair.

On motion, by Mr. Smith, Senate bills on third reading were taken up.

BILLS ON THIRD READING.

Engrossed Senate Bill No. 55. A bill to amend section 16 of an act entitled "An act concerning real property and the alienation thereof," approved May 6, 1852.

Was read a third time.

The question being, shall the bill pass ?

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bearss, Bell, Boone, Bowman, Bunnan, Cardwell, Chapman, Cree, Culbertson, Daggy, Davidson, Dykeman, Friedley of Lawrence, Grove, Hackleman, Haworth, Hough, Humphries, LaRue, Major, Maxwell, Neff, Oliver, Ringo, Roe, Sarnighausen, Scott, Sleeth, Smith, Thompson, Underwood and Wilson—34.

Senator Givan voting in the negative.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Ordered, that the Secretary inform the House of the passage of the bill.

Engrossed Senate Bill No. 138. A bill in relation to the settlement of claims against decedents' estates.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bearss, Bell, Boone, Bowman, Bunnan, Cardwell, Chapman, Cree, Culbertson, Daggy, Dykeman, Friedley of Lawrence, Givan, Gooding, Grove, Hackleman, Haworth, Henderson, Hough, Humphries, Johnston of Parke, LaRue, Major, Maxwell, Neff, Oliver, Peed, Ringo, Roe, Sarnighausen, Scott, Slater, Sleeth, Smith, Thompson, Underwood, Wilson and Winterbotham—40.

No Senator voting in the negative.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Ordered, that the Secretary inform the House of the passage of the bill.

Message from the House by Mr. Holmes, Clerk thereof:

MR. PRESIDENT:

I am directed by the Speaker of the House to inform the Senate that the House has passed the following engrossed House Bills, to-wit:

House Bill No. 452, entitled "An act to amend section 1 of an act entitled 'an act authorizing the Governor, Auditor and Treasurer of State to make a temporary loan,'" approved March 10, 1873.

Also, Engrossed House Bill No. 415, a bill to amend sections 2 and 3 of the Legislative apportionment laws of 1873, and declaring an emergency.

I am further directed to inform the Senate that the Speaker of the House has signed the following enrolled Senate acts, to-wit:

No. 32. A bill to limit the appointment to office in punitive, reformatory and benevolent institutions of the State.

No. 89. A bill for the organization of camp meeting associations, etc.

And the same are herewith transmitted to the Senate for its action thereon.

Engrossed Senate Bill No. 52. An act to amend the fourth and ninth sections of an act entitled "An act for the incorporation and continuance of building, loan fund and saving associations," approved March 5, 1857, to legalize certain contracts made by such associations.

Was read a third time.

The question being, shall the bill pass ?

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bearss, Bell, Boone, Bowman, Bunnan, Cardwell, Chapman, Cree, Culbertson, Daggy, Davidson, Dykeman, Friedley of Lawrence, Grove, Harney, Haworth, Henderson, Hough, Humphries, LaRue, Major, Neff, Oliver, Peed, Ringo, Roe, Sarnighausen, Scott, Slater, Sleeth, Smith, Thompson, Underwood, Wilson and Winterbotham—37.

Those who voted in the negative were,

Messrs. Givan, Johnston of Parke and Maxwell—3.

So the bill passed.

The question being, shall the title as read stand as the title of the bill ?

Mr. Boone moved that the emergency clause be stricken out.

Which was unanimously agreed to.

The title as amended was then adopted.

On motion by Mr. Scott Engrossed Senate Bill No. 126, an act to repeal sections 272 and 273 of an act entitled "An act to provide for a uniform assessment of property, and for the collection and return of taxes," approved December 21, 1872.

Was laid on the table.

On motion by Mr. Beardsley Engrossed House Bills on third reading were taken up.

Engrossed House Bill No. 230. An act to ascertain the location of the boundary line between the States of Indiana and Kentucky, above and near Evansville, and making the same evidence in any dispute, and declaring an emergency.

Was read a third time.

The question being, shall the bill pass ?

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bearss, Bell, Bowman, Bunyan, Cardwell, Chapman, Cree, Daggy, Dykeman, Friedley of Lawrence, Givan, Gooding, Grove, Haekleman, Harney, Hawerth, Henderson, Hough, Humphries, Johnston of Parke, LaRue, Major, Maxwell, Neff, Oliver, Peed, Ringo, Roe, Sarnighausen, Scott, Skinner, Slater, Sleeth, Thompson, Tobin, Underwood, Wilson and Winterbotham—40.

Those voting in the negative were,

Messrs. Boone, Culbertson, Davidson and Smith—4.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Ordered, That the Secretary inform the House of the passage of the bill.

Mr. Bell made the following report:

MR. PRESIDENT:

Your Joint Committee on Enrolled Bills, have this day presented to the Governor for his signature the following enrolled bills, to-wit:

Enrolled Senate Bill No. 32, entitled "A bill to limit appointments to office in the punitive, reformatory and benevolent institutions of the State."

Also, Enrolled Senate Bill No. 89, entitled "A bill for the organization of camp meeting associations, and providing for the government and management thereof, and declaring an emergency."

On motion of Mr. Haworth Engrossed House Bills on second reading were taken up.

Engrossed House Bill No. 128. A bill to repeal section 55 of an act to amend an act entitled "An act to authorize and regulate the business of general banking," approved March 3, 1855, and providing for turning into the general fund certain funds therein named and declaring an emergency.

Was read a second time, and the report of the Committee on Finance concurred in.

Mr. Givan moved a suspension of the constitutional rule requiring bills to be read on three several days, that the bill may be read a third time now.

The ayes and noes being taken under the rule,

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bearss, Bell, Boone, Bowman, Bunyan, Cardwell, Chapman, Cree, Culbertson, Daggy, Davidson, Dykeman, Friedley of Lawrence, Givan, Grove, Hackleman, Harney, Haworth, Henderson, Humphries, Johnston of Parke, LaRue, Major, Maxwell, Neff, Oliver, Peed, Ringo, Roe, Sarnighausen, Scott, Skinner, Slater, Sleeth, Smith, Thompson, Tobin, Underwood, Wilson and Winterbotham—42.

No Senator voting in the negative.

So the constitutional rule was suspended and the bill read a third time now.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bearss, Boone, Bowman, Bunyan, Cardwell, Chapman, Cree, Culbertson, Daggy, Davidson, Dykeman, Friedley of Lawrence, Givan, Gooding, Grove, Hackleman, Harney, Haworth, Henderson, Hough, Humphries, Johnston of Parke, LaRue, Major, Maxwell, Neff, Oliver, Peed, Ringo, Roe, Sarnighausen, Scott, Skinner, Slater, Smith, Thompson, Tobin, Underwood, Wilson and Winterbotham—41.

No Senator voting in the negative.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Ordered, that the Secretary inform the House of the passage of the bill.

Mr. Givan made the following report:

MR. PRESIDENT:

The Committee on Phraseology and Arrangement of Bills, to whom was referred Senate Bill No. 223, entitled "An act to amend section 1 and repeal section 3 of an act entitled 'an act providing for the organization of county boards, and prescribing some of their powers and duties,' " approved June 7, 1852, have had the same under consideration and find the same correctly engrossed.

Report by Mr. Bell:

MR. PRESIDENT:

The Committee on Phraseology and Arrangement of Bills have had under consideration Engrossed Senate Bill No. 186, a bill making the township trustees of each civil township superintendent of roads and highways in his township, prescribing his duties and fixing commutation road tax, and repealing clause, herewith return the same with the report that it is correctly engrossed.

MR. PRESIDENT:

The Committee on Phraseology and Arrangements of Bills have considered Senate Bill No. 179, a bill regulating the number of grand jurors, etc., have had the same under consideration and have directed me to report that the same is correctly engrossed.

Engrossed House Bill No. 129. A bill to amend an act entitled "An act to incorporate the Indiana Fire and Marine Insurance Company, and declaring an emergency."

Was read a second time.

The report of the Committee on Judiciary concurred in.

Mr. Peed offered the following amendment to the bill :

Amend by inserting in the proper place: "The Legislature hereby reserves to itself the right to amend or alter the charter as from time to time may be deemed necessary."

Messrs. Peed and Friedley of Lawrence demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Baxter, Bowman, Cree, Culbertson, Davidson, Friedley of Lawrence, Givan, Gooding, Grove, Hackleman, Humphries, LaRue, Major, Maxwell, Peed, Ringo, Roe, Slater, Wilson and Winterbotham—20.

Those who voted in the negative were,

Messrs. Beardsley, Bearss, Boone, Bunyan, Cardwell, Chapman, Daggy, Dykeman, Harney, Haworth, Henderson, Hough, Humphries, Johnston of Parke, Neff, Oliver, Sarnighausen, Scott, Skinner, Sleeth, Thompson, Tobin and Underwood—23.

So the amendment was not agreed to.

Mr. Slater offered the following amendment :

Amend the bill: That the stockholder in said company shall be personally liable for double the amount of stock held by him at the time the liability was created.

Messrs. Slater and Humphries demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Bowman, Chapman, Cree, Culbertson, Davidson, Friedley of Lawrence, Givan, Grove, Humphries, Peed, Ringo, Slater, Smith and Winterbotham—14.

Those who voted in the negative were,

Messrs. Baxter, Beardsley, Bearss, Bell, Bunyan, Cardwell,

Daggy, Dykeman, Gooding, Hackleman, Harney, Haworth, Henderson, Hough, Johnston of Parke, LaRue, Major, Maxwell, Neff, Oliver, Roe, Sarnighausen, Scott, Skinner, Sleeth, Thompson, Tobin, Underwood and Wilson—30.

So the amendment was not agreed to.

Engrossed House Bill No. 140. A bill legalizing certain official acts of the Common Council of the city of Kokomo, and the officers of said city, and declaring an emergency, was read a second time, and the report of the Committee on Corporations concurred in.

Mr. Bearss moved to suspend the constitutional rule requiring bills to be read on three several days that the bill may be read a third time by sections now.

The ayes and noes being taken under the rule,

Those who voted in the affirmative were,

Messrs. Baxter, Bearss, Bell, Boone, Bowman, Bunyan, Cardwell, Chapman, Cree, Daggy, Davidson, Dykeman, Friedley of Lawrence, Givan, Gooding, Grove, Hackleman, Harney, Haworth, Henderson, Hough, Humphries, Johnston of Parke, LaRue, Major, Maxwell, Neff, Oliver, Peed, Ringo, Roe, Sarnighausen, Scott, Skinner, Sleeth, Thompson, Tobin, Underwood, Wilson and Winterbotham—39.

Those who voted in the negative were,

Messrs. Culbertson and Smith—2.

So the constitutional rule was suspended, and the bill read a third time by sections.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Baxter, Bearss, Bell, Bowman, Bunyan, Cardwell, Chapman, Cree, Daggy, Davidson, Dykeman, Friedley of Lawrence,

Givan, Gooding, Grove, Hackleman, Harney, Haworth, Henderson, Hough, Humphries, Johnston of Parke, LaRue, Major, Maxwell, Neff, Oliver, Peed, Ringo, Sarnighausen, Scott, Skinner, Sleeth, Thompson, Tobin, Wilson and Winterbotham—38.

Those voting in the negative were,

Messrs. Roe, Slater and Smith—3.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

Mr. Hough offered the following amendment:

Amend the title by inserting therein after the word "legalizing" the words "the incorporation of the city of Kokomo."

And the amendment was agreed to, and the title as amended, was then adopted.

Ordered, that the Secretary inform the House of the passage of of the bill.

Mr. Harney moved to suspend the order of business and take up Senate Bill No. 186, a bill making the township trustee of each township superintendent of roads and highways, etc.

Which was agreed to, and the bill read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Daggy, Dykeman, Gooding, Grove, Harney, Haworth, Hough, Johnston of Parke, Neff, Oliver, Sarnighausen, Scott, Thompson, Tobin, Underwood and Wilson—16.

Those who voted in the negative were,

Messrs. Baxter, Boone, Bowman, Bunyan, Cardwell, Chapman,

Cree, Culbertson, Davidson, Friedley of Lawrence, Givan, Hackleman, Humphries, LaRue, Major, Maxwell, Ringo, Roe, Slater, Smith and Winterbotham—21.

So the bill failed to pass.

The President laid before the Senate the following :

HON. L. SEXTON, President of the Senate :

*Dear Sir :—*I am directed by the Manufacturers and Real Estate Exchange to notify you of the passage of the enclosed resolution, by that body at its session on last evening, and to request you to lay the same before the Senate. I am sir,

Yours very truly,

CYRUS T. NIXON,

Secretary.

Resolved, That the Manufacturers' and Real Estate Exchange cordially approved the resolution passed by the manufacturers of the State of Indiana, in their convention lately held in the Bates House of this city, calling upon the General Assembly to pass a law for the equitable assessment of the property of manufacturing associations, and we earnestly urge upon that body an early and favorable consideration of the subject.

Read and referred to the Committee on Finance.

Engrossed House Bill No. 237. A bill legalizing the record and acknowledgment of deeds and mortgages heretofore recorded in any county of the State, etc.

Was read a second time.

The report of the Committee on the Rights and Privileges of the Inhabitants of the State concurred in and the bill placed on the calendar.

By unanimous consent, Senate Bill No. 288, a bill to legalize city taxes for the years 1873 and 1874, was taken up.

Mr. Dykeman moved to suspend the constitutional rule requiring bills to be read on three several days, that the bill may be read a second time by title, considered engrossed, and read a third time by sections now.

The ayes and noes being taken under the rule,

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bearss, Bell, Boone, Bowman, Bunyan, Cardwell, Chapman, Cree, Culbertson, Davidson, Dykeman, Givan, Gooding, Hackleman, Harney, Haworth, Henderson, Humphries, Johnston of Parke, LaRue, Major, Maxwell, Neff, Oliver, Peed, Ringo, Roe, Sarnighausen, Scott, Skinner, Slater, Sleeth, Thompson, Tobin, Underwood, Wilson and Winterbotham—39.

No Senator voting in the negative.

So the constitutional rule was suspended and the bill read a second time by title, considered engrossed, and read a third time by sections.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bearss, Bell, Boone, Bowman, Bunyan, Cardwell, Chapman, Cree, Culbertson, Daggy, Davidson, Dykeman, Friedley of Lawrence, Givan, Gooding, Grove, Hackleman, Harney, Haworth, Henderson, Hough, Humphries, Johnston of Parke, Major, Maxwell, Neff, Oliver, Roe, Sarnighausen, Scott, Skinner, Slater, Sleeth, Smith, Thompson, Tobin, Underwood, Wilson and Winterbotham—41.

No Senator voting in the negative.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Ordered, that the Secretary inform the House of the passage of the bill.

By unanimous consent, Engrossed House Bill No. 410, a bill legalizing the acts of the boards of trustees of incorporated towns in certain cases, etc., was taken up and read a first time and referred to the Committee on Rights and Privileges of the Inhabitants of the State.

By unanimous consent, Mr. Johnston of Parke offered the following resolution :

WHEREAS, Under the act of Congress of 1851, conveying to the State of Indiana certain swamp and overflowed lands in this State upon the conditions set forth expressly that the grant was for the specific purpose of draining and reclaiming the same; and

WHEREAS, The State has sold and conveyed the most of said lands to individuals and has wholly failed to comply with the conditions and requirements of said grant so as to vest title to the same in the State of Indiana; and,

WHEREAS, the money so received from the sale of said lands by the State has been applied to other purposes than draining and reclaiming said lands and is not now in the treasury of the State; and

WHEREAS, The State has conveyed many of these lands to persons in payment for draining, which draining has never been done; therefore, be it

Resolved, That a committee of three be appointed to investigate the matters set forth in the preamble to this resolution, and report to the Senate what measures are necessary to finally and fully vest said land titles in the State of Indiana, and also what steps, if any, are necessary to reinvest the State with the title to all lands conveyed upon claims for drainage or ditching which was not or has not been done, and any other measures necessary to protect the interests of the State.

Which was adopted.

By unanimous consent Mr. Winterbotham introduced

Senate Bill No. 347, a bill to authorize the Governor of the State of Indiana to exchange with Peter Donnelly certain lands, etc.

Was read a first time and referred to the Committee on Judiciary.

By unanimous consent

Engrossed House Bill No. 220, an act providing for the incorporation of companies formed for the purpose of constructing bridges for railway or common roadway purposes, or both, over rivers and streams forming the boundaries of the State of Indiana, or a part thereof, etc., was taken up.

Mr. Gooding moved to suspend the constitutional rule requiring bills to be read on three several days, that the bill may be read a second time by title and read a third time, now.

The ayes and noes being taken under the rule,

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bearss, Bell, Boone, Bowman, Bunnan, Chapman, Culbertson, Daggy, Dykeman, Grove, Gooding, Hackleman, Harney, Haworth, Henderson, Hough, Humphries, LaRue, Major, Maxwell, Neff, Peed, Ringo, Roe, Sarnighausen, Scott, Skinner, Slater, Smith, Thompson, Tobin, Underwood, Wilson and Winterbotham—36.

No Senator voting in the negative.

So the constitutional rule was suspended, the bill read a second time by title, the report of the Committee on Corporations concurred in, and read a third time by sections.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bearss, Bell, Boone, Bowman, Bunnan, Cardwell, Chapman, Culbertson, Daggy, Davidson, Dykeman, Givan, Gooding, Grove, Hackleman, Harney, Haworth,
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Henderson, Hough, LaRue, Major, Maxwell, Neff, Peed, Ringo, Roe, Sarnighausen, Scott, Skinner, Slater, Sleeth, Smith, Thompson, Tobin, Underwood, Wilson and Winterbotham—39.

Senator Humphries voting in the negative.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Ordered, that the Secretary inform the House of the passage of the bill.

Report by Mr. Daggy.

MR. PRESIDENT :

The Committee on Phraseology and Arrangement of Bills have examined Senate Bill No. 282, a bill to limit the power of the trustees of townships in incurring debts, and requiring them to designate certain days for the transaction of township business, and find the same correctly engrossed.

By Mr. Givan.

MR. PRESIDENT :

The Committee on Phraseology and Arrangement of Bills, to whom was referred Engrossed Senate Bill No. 287, to amend sections 2 and 4 of an act supplemental and amendatory of an act entitled "An act to provide for a uniform assessment of property for the collection and return of taxes thereon, etc.," approved March 8, 1873, have had the same under consideration and found the same correctly engrossed.

By Mr. Scott.

MR. PRESIDENT :

Your Committee on enrolled Bills have had Senate Bill No. 190,

on the subject of the inchoate rights of married women, under consideration and have directed me to report the same correctly engrossed.

By Mr. Humphries.

MR. PRESIDENT:

The Committee on Phraseology and Arrangement of Bills have examined Senate Bill No. 286, a bill concerning domestic animals running at large and the trespassing committed by such animals, and find the same correctly engrossed.

By unanimous consent, Mr. Harney introduced

Senate Bill No. 345. A bill to amend an act entitled "An act supplemental to an act to authorize aid to the construction of railroads by counties and townships, etc."

Was read a first time and referred to the Committee on Railroads.

Engrossed House Bill No. 101, a bill to regulate public warehouses and warehousing and inspecting and mixing grain, making warehouse receipts assignable, etc.

Was read a second time.

The question being, on concurring in the report of the Corporations,

On motion, by Mr. Smith, the Senate adjourned until to-morrow morning, 9 o'clock.

LEONIDAS SEXTON,

President of the Senate.

THURSDAY MORNING.

FEBRUARY 25, 1875, 9 o'CLOCK.

Senate assembled.

In the absence of the President, the Senate was called to order by the Assistant Secretary.

On motion, by Mr. Beardsley, Mr. Boone took the chair.

The Throne of Grace was addressed by the Rev. Dr. Bradley, of Indianapolis.

Message from the Governor by his Private Secretary :

MR. PRESIDENT :

By direction of the Governor, I have the honor to transmit his communication withdrawing a nomination heretofore made to the Senate by him :

EXECUTIVE DEPARTMENT,
INDIANAPOLIS, February 25, 1875.

Gentlemen of the Senate :

Upon further information and consideration, I withdraw my nomination of William C. Kocher, of Huntington county, as a Commissioner of the House of Refuge.

THOMAS A. HENDRICKS,
Governor.

Mr. Friedley of Lawrence moved a call of the Senate.

The following Senators answered to their names :

Messrs. Baxter, Beardsley, Bearss, Bell, Boone, Bowman. Bunnan, Cardwell, Chapman, Culbertson, Daggy, Davidson, Friedley

of Lawrence, Givan, Gooding, Grove, Hackleman, Harney, Haworth, Henderson, Hendricks, Hough, Humphries, LaRue, Major, Maxwell, Neff, Oliver, Peed, Ringo, Roe, Sarnighausen, Scott, Slater, Sleeth, Smith, Thompson, Tobin, Underwood and Winterbotham—40.

On motion by Mr. Neff the further call was dispensed with.

The hour of 9:30 o'clock having arrived, it being the hour for the consideration of the special order of Senate Bill No. 343, a bill to amend section 3 of an act entitled "An act regulating foreign insurance companies doing business in this State, prescribing the duties of the agents thereof, and of the Auditor of State in connection therewith, and providing penalties for the violation of this act," the bill was read a second time.

Mr. Sleeth moved that the bill be considered engrossed.

Mr. Bunyan moved that the bill be made a part of the special order for 2 o'clock p. m. with the fee and salary bill.

Mr. Friedley of Lawrence moved that the motion of Mr. Bunyan do lie on the table.

Messrs. Baxter and Friedley of Lawrence demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Beardsley, Chapman, Daggy, Friedley of Lawrence, Hackleman, Haworth, Hough, Johnston of Parke, Larue, Roe, Sleeth, and Smith—12.

Those who voted in the negative were,

Messrs. Baxter, Bearss, Boone, Bowman, Bunyan, Cardwell, Cree, Culbertson, Davidson, Givan, Grove, Harney, Henderson, Humphries, Major, Maxwell, Neff, Oliver, Peed, Ringo, Sarnighausen, Scott, Slater, Tobin, Underwood, Wilson, and Winterbotham—27.

So the motion was not agreed to.

The question recurring on the motion to make the bill a special order for 2 o'clock p. m., to-day.

Messrs. Humphries and Slater demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Baxter, Bell, Boone, Bowman, Bunyan, Cardwell, Cree, Culbertson, Daggy, Davidson, Dykeman, Friedley of Lawrence, Givan, Grove, Hackleman, Harney, Haworth, Henderson, Hendricks, Humphries, Major, Maxwell, Neff, Peed, Ringo, Sarnighausen, Scott, Slater, Tobin, Underwood, Wilson and Winterbotham—32.

Those who voted in the negative were,

Messrs. Beardsley, Bearss, Chapman, Hough, Johnston of Parke, LaRue, Oliver, Roe, Sleeth and Smith—10.

So the motion was agreed to and the bill made special order for 2 o'clock p. m., to-day.

The pending question yesterday on adjournment, being in concurring in the report of the Committee on Corporations on House Bill No. 101, a bill on warehouses and warehousing,

Mr. Harney offered the following amendment :

Amend by adding to 1st section, as it now stands, "*Provided*, the word 'public warehouses,' when issued in this act, shall mean and apply to any such warehouses as shall desire to come under the provisions of this act, and shall signify such intention by written application, signed by the owners of said warehouse, if owned by private individuals, or by the president and secretary if owned by a corporation, and directed to the board of trade, if there be one organized in the county, or to the recorder of the county, to be by them recorded and kept on file, and from the time of making such application such warehouse shall be bound by all the provisions of this act, and for one year after such warehouses shall give written notice of their desire to withdraw to the board of trade, or to the

county recorder, and the provisions of this act shall apply to no other cases, only as prescribed in this section."

Mr. Slater moved the previous question.

Which was not seconded by the Senate.

Mr. Chapman offered the following amendment to the amendment:

Amend after the word "individual," in line 12, the following words, "and if by an incorporated company the individual names of the company."

Which was not agreed to.

The question being on the amendment offered by Mr. Harney.

Messrs. Daggy and Scott demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Boone, Bowman, Bunyan, Cardwell, Chapman, Cree, Culbertson, Daggy, Davidson, Givan, Grove, Hackleman, Harney, Haworth, Hendricks, Humphries, Johnston of Parke, Major, Neff, Oliver, Peed, Ringo, Scott, Slater, Thompson, Tobin and Underwood—29.

Those who voted in the negative were,

Messrs. Bell, Dykeman, Henderson, Hough, LaBue and Skinner—6.

So the amendment was agreed to.

The report of the Committee on Corporations as amended concurred in and the amendments ordered engrossed.

Mr. Oliver moved to suspend the constitutional rule requiring bills to be read on three several days that Engrossed House Bill No. 101, a bill to regulate public warehouses and warehousing and inspecting and mixing grain, making warehouse receipts assignable

and negotiable by the law of merchants and providing a penalty for issuing false or fraudulent receipts by warehousemen, and for fraudulently removing property by them, may be read a third time.

The ayes and noes being taken under the rule,

Those who voted in the affirmative were,

Messrs. Baxter, Bell, Bowman, Chapman, Daggy, Davidson, Dykeman, Givan, Harney, Haworth, Henderson, Hendricks, Hough, Johnston of Parke, Major, Maxwell, Oliver, Peed, Roe, Sarnighausen, Scott, Skinner, Slater, Thompson, Tobin and Wilson—26.

Those who voted in the negative were,

Messrs. Beardsley, Boone, Bunyan, Cardwell, Cree, Culbertson, Givan, Hackleman, Humphries, LaRue, Neff, Ringo and Underwood—13.

There not being two-thirds voting in the affirmative, the constitutional rule was not suspended.

Report by Mr. Wilson.

MR. PRESIDENT:

The Committee on Enrolled Bills have compared Senate Bills No. 106, a bill to authorize incorporations to issue bonds.

No. 137. A bill concerning the practice in relation to appeals to the Circuit Courts.

No. 157. A bill to amend the 153d section of an act entitled "An act to provide for a general system of common schools, etc.

No. 230. A bill to amend the tenth section of the general assignment law and declaring an emergency, and find the same all correctly enrolled

By unanimous consent Mr. Johnston of Parke offered the following resolution:

Resolved, That the committee appointed to investigate the condition of the State Prison, North, are hereby authorized to employ a clerk to attend with them during said investigation; Provided, such clerk shall not receive to exceed \$5.00 per diem, together with actual necessary traveling expenses, or to be employed to exceed five days without the further consent of the Senate.

The resolution was not adopted.

On motion by Mr. Boone, Senate bills on second reading were taken up.

Engrossed Senate Bill No. 231. An act for the encouragement of manufacturing companies.

Was read a second time, the report of the Committee on Judiciary concurred in and the bill ordered engrossed.

Senate Bill No. 335. A bill to amend section 269 of an act entitled "An act to provide for a uniform assessment of property and for the collection and return of taxes thereon," approved December 21, 1852.

Was read a second time, the report of the Committee on Finance concurred in and the bill ordered engrossed.

Senate Bill No. 182. A bill to amend section 17 of an act entitled "An act regulating prosecutions in cases of bastardy, and providing for the support of illegitimate children," approved May 6, 1852.

Was read a second time, the report of the Committee on Judiciary concurred in and the bill ordered engrossed.

Engrossed Senate Bill No. 18. A bill supplemental to an act approved March 14, 1867, entitled "An act to repeal all general laws now in force for the incorporation of cities, and to provide for the incorporation of cities, prescribing their powers and rights and the manner in which they shall exercise the same, and to regulate such other matters as pertain thereto."

Was read a second time, the report of the Committee on Corporations concurred in and the bill ordered engrossed.

Senate Bill No. 259. A bill in regard to the conveyance of the public grounds and buildings upon the re-location of county seats.

Was read a second time, the report of the Committee on County and Township Business concurred in and the bill ordered engrossed.

Senate Bill No. 241. A bill for the incorporation and continuance of building, loan fund and savings associations, and repealing the law on the subject, approved March 5, 1857, and March 7, 1873, and legalizing all such associations now in existence, and declaring an emergency.

Was read a second time, the report of the Committee on Banks concurred in and the bill ordered engrossed.

Senate Bill No. 268. A bill to provide for the public printing and binding.

Was read a second time.

The question being on concurring in the report of the Committee on Public Printing,

Mr. Slater offered the following amendment of a new section :

Section 9. All laws and parts of laws inconsistent with the provisions of this act are hereby repealed.

Which was agreed to.

The report of the committee as amended was then concurred in and the bill ordered engrossed.

Senate Bill No. 201. A bill to legalize the organization of all plank, macadamized, or gravel road companies, where such companies have organized in good faith before the act under which the organization was made went into force.

Was read a second time, the report of the Committee on County and Township Business concurred in and the bill ordered engrossed.

Senate Bill No. 124. A bill regulating the issuing and taking

up of tickets and coupons of tickets by common carriers, and defining the rights of holders thereof, and other matters in relation thereto.

Was read a second time, the report of the Committee on Railroads concurred in, and the bill ordered engrossed.

Senate Bill No. 256. A bill for an act to enforce the collection of delinquent taxes by judicial proceedings.

Was read a second time, the report of the Committee on Finance concurred in, and the bill ordered engrossed.

By unanimous consent, Mr. Friedley of Lawrence made the following report :

MR. PRESIDENT :

Your Committee on Railroads, to whom was referred Senate Bill No. 348, a bill to amend an act entitled "An act supplemental to an act to authorize aid to the construction of railroads by counties and townships taking stock in and making donations to railroad companies," approved January 30, 1873, and to provide when tax payers may resist the process of the collection of railroad tax, have had the same under consideration and a majority have instructed me to report the same back with a recommendation that it do pass.

Was placed on the calendar and made a special order for 7 o'clock this p. m.

Message from the House by Mr. Holmes Clerk thereof:

MR. PRESIDENT :

I am directed by the Speaker of the House to inform the Senate that he has signed Enrolled Senate Bill No. 121, to amend an act providing for the election and prescribing the duties of county surveyors, approved June 17, 1852, and the same is herewith transmitted for the action of the Senate.

The President announced that he had signed Enrolled Senate Act No. 230, an act to amend the 10th section of the general assignment law, and declaring an emergency.

Also, Enrolled Senate Act No. 137, an act concerning the practice in relation to appeals to the circuit court.

Also, Enrolled Senate Act No. 106, an act to authorize incorporated towns to issue bonds, etc.

Also, Enrolled Senate Act No. 157, an act to amend the 153d section of an act to provide for a general system of common schools, etc.

Also, Enrolled Senate Act No. 121, an act to amend an act providing for the election and prescribing duties of county surveyors, etc.

By unanimous consent Mr. Cree presented a petition from certain citizens of Delaware county, claiming fees in the contested election case of Wm. B. Kline vs John W. Burson, in the year 1872.

Referred to the Committee on Claims without reading.

Report by Mr. Bell :

MR. PRESIDENT :

The Committee on Phraseology and Arrangement of Bills have had under consideration Engrossed House Bill No. 140, a bill legalizing certain official acts of the common council of the city of Kokomo, the officers of said city, and declaring an emergency, and the engrossed Senate amendments thereto, and herewith return the same with the report that the Senate amendments are correctly engrossed.

Mr. Daggy moved to reconsider the vote whereby the Senate refused to adopt the resolution of Mr. Johnston of Parke, asking for clerical force to accompany the Select Committee to the Prison North,

Which was agreed to.

The question now being on the adoption of the resolution of Mr. Johnston of Parke,

It was agreed to.

Message from the House, by Mr. Holmes, Clerk thereof :

MR. PRESIDENT :

I am directed by the Speaker of the House to inform the Senate that he has signed Enrolled Senate Act No. 230, a bill to amend the 10th section of the general assignment law, and declaring an emergency.

Also, Enrolled Senate Act No. 106, a bill to authorize incorporated towns to issue bonds, etc.

Also, Enrolled Senate Act No. 137, a bill concerning the practice in relation to appeals to the Circuit Court.

Also, Enrolled Senate act No. 157, a bill to provide for a general system of common schools, the officers, etc., and the same is herewith returned to the Senate.

Report by Mr. Wilson.

MR. PRESIDENT :

The Committee on Enrolled Bills, to whom was referred Senate Bill No. 121, a bill to amend an act entitled "An act providing for the election and prescribing the duties of county surveyors," approved June 17, 1852, and find the same correctly enrolled.

Message from the House by Mr. Holmes, Clerk thereof :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed Engrossed House Bill No. 118, a bill to license, regulate and restrain the sale of spiritous, vinous, malt and other intoxicating liquors, and the same is herewith transmitted to the Senate.

Mr. Daggy, from the Committee on Phraseology and Arrangement of Bills, made the following report :

MR. PRESIDENT :

The Committee have carefully examined Senate Bill No. 288, a

bill to repeal an act authorizing the appropriation of money out of the State Treasury for the use of the Indiana University, at Bloomington, Monroe county, Indiana.

Also, Senate Bill No. 296, a bill to legalize the elections held in 1872, 1873 and 1874 in the town of Knightstown, and legalize the acts of the several boards of trustees.

Also, Senate Bill No. 252. A bill to establish a Superior Court in the county of Tippecanoe, to elect Judge thereof, to abolish the Criminal Court therein and transfer its business to the Circuit Court, and find the same correctly engrossed.

Report by Mr. Smith :

MR. PRESIDENT :

Your Committee on Phraseology and Arrangement of Bills have carefully compared Engrossed Senate Bill No. 101, a bill empowering the Auditor of State to correct errors heretofore made by that officer in selling and conveying lands forfeited to the sinking fund, by making proper deeds therefor, declaring the effect of such deeds, and for other purposes, and find the same properly engrossed.

Report by Mr. Smith :

MR. PRESIDENT :

Your Committee on Phraseology and Arrangement of Bills have compared Engrossed Senate Amendments to House Bill No. 129, a bill to amend an act entitled "An act to incorporate the Indiana Fire and Marine Insurance Company, and declaring an emergency," and find the same correctly engrossed.

Report by Mr. Bell :

MR. PRESIDENT :

Your Committee on Phraseology and Arrangement of Bills have had under consideration Engrossed Senate Bill No. 341, a bill to amend section 21 of an act entitled "An act to establish a female prison and reformatory institution for girls and women," etc., and

herewith return the same with the report that the bill is correctly engrossed.

On motion of Mr. Friedley of Lawrence, the Senate took a recess until 2 o'clock p. m.

AFTERNOON SESSION.

Senate re-assembled, President in the chair

By unanimous consent, Mr. Bowman, from the Committee on County and Township Business, made the following report :

MR. PRESIDENT :

The Committee on County and Township Business, to whom was referred Engrossed House Bill No. 261, a bill to authorize the change of county boundaries and declaring an emergency, have had the same under consideration and direct me to report the same back with the recommendation that the same be referred to the Committee on Judiciary.

Which was concurred in.

Report by Mr. Beardsley.

MR. PRESIDENT :

Your Committee on Education, to whom was referred Senate Bill No. 298, entitled "A bill to amend an act entitled 'an act to amend an act entitled an act to provide for a general system of common schools, the officers thereof, and their respective powers and duties, and matters properly connected therewith, and prescribing the fees for certain officers therein named, and for the establishment and regulation of township libraries, and to repeal all laws inconsistent therewith, providing penalties therein prescribed,'" approved March 6, 1865, and adding supplemental sections thereto, approved March 8, 1873, have had such bill under consideration and have directed me to report the same back to the Senate with a

recommendation that it lie upon the table for the reason that this committee has already reported to the Senate a bill covering all the propositions embraced in the one just referred to herein.

The report was concurred in and the bill laid on the table.

By Mr. Major, the following report :

MR. PRESIDENT :

Your Committee on Education, to whom was referred Senate Bill No. 234, entitled "A bill to amend section 159 of an act entitled 'an act to provide for a general system of common schools, the officers thereof and their respective powers and duties, and matters properly connected therewith, and providing the fees for certain officers therein named, and for the establishment and regulation of township libraries, and to repeal all laws inconsistent therewith, providing penalties therein prescribed,'" approved March 6, 1865, have given such bill careful consideration, and have directed me to report the same back to the Senate with the recommendation that the same do lie upon the table.

Which was concurred in and the bill laid on the table.

Message from the House by Mr. Holmes, Clerk thereof.

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed the following Senate Bills, to wit :

Engrossed Senate Bill No. 304. An act to amend section five of an act regulating the adoption of heirs, approved March 2, 1855.

Also, Engrossed Senate Bill No. 21. An act to prohibit the sale, gift, or bartering of deadly weapons, or ammunition therefor, to minors, and said bills are herewith returned to the Senate.

Report by Mr. Chapman.

MR. PRESIDENT :

Your Committee on Phraseology and Arrangement of Bills have

examined Enrolled Act No. 307, and find the same correctly enrolled.

The President announced that he had signed Enrolled House Act No. 190, an act amending section five of an act to prohibit the collection of tolls on gravel, turnpike, and macadamized roads, etc., approved March 5, 1859.

Message from the House by Mr. Holmes, Clerk thereof:

MR. PRESIDENT:

I am directed by the Speaker of the House to inform the Senate that he has signed Enrolled House Act No. 190, and the same is herewith transmitted for the signature of the President of the Senate.

The hour of 2:30 o'clock having arrived, it being the hour for the consideration of the special order, the Fee and Salary Bill,

Mr. Scott moved that the bill be considered by sections.

Which was agreed to.

Mr. Slater moved that the Senate go into Committee of the Whole Senate.

Which was not agreed to.

Senate Bill No. 318. A bill regulating fees and salaries, was read by sections.

Mr. Sleeth offered the following amendment:

Amend by adding to line No. 8 of section 2, these words, "and all affidavits connected therewith."

Which was agreed to.

Mr. LaRue moved to strike out the proviso in the 4th section.

Mr. Scott moved to strike out the entire section.

Which was agreed to.

Mr. Bell moved to amend the 5th section by striking out the words "three thousand" and insert in lieu thereof the words "four thousand."

Which was not agreed to.

Mr. Humphries offered the following amendment to section 6th :

Provided further, That the auditor shall be entitled to receive as his fee for such collections from insurance companies the sum of ten per centum of the amount so collected.

Which was agreed to.

Mr. Boone moved to amend in line 11 after the word "fees," the words "now allowed by law."

Which was agreed to.

Mr. Johnston of Parke, offered the following amendment :

Amend by striking out the word "heretofore," in line 1 of section 6, and insert in lieu thereof the words "now and hereafter."

Which was agreed to.

Mr. LaRue moved to strike out the entire section 9.

Messrs. Slater and Harney demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Bell, Hackleman, Haworth, Henderson, Hendricks, LaRue, Peed, Sarnighausen, Smith and Winterbotham—10.

Those who voted in the negative were,

Messrs. Baxter, Beardsley, Bearss, Boone, Bowman, Bunyan, Cardwell, Chapman, Cree, Culbertson, Daggy, Davidson, Dykeman, Friedley of Lawrence, Givan, Grove, Harney, Hough, Humphries, Major, Maxwell, Neff, Rhodes, Ringo, Roe, Scott, Skinner, Slater, Thompson, Tobin, Underwood and Wilson—32.

So the motion to strike out the section was not agreed to.

Mr. Chapman offered the following amendment :

Amend by striking out of the second line of the ninth section the words "by them."

Which was agreed to.

Mr. Hough offered the following amendment :

Amend by adding the following at the close of the section : And such clerks shall furnish at their own expense all stationery and blanks required for use in their offices respectively, excepting bound records, fee books, cash books, order books and dockets.

Messrs. Dykeman and Hough demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bearss, Bunyan, Cardwell, Cree, Daggy, Dykeman, Gooding, Grove, Hough, Humphries, Johnston of Parke, Maxwell, Neff, Peed, Ringo, Roe, Scott, Skinner, Tobin, Underwood and Wilson—23.

Those who voted in the negative were,

Messrs. Bell, Boone, Bowman, Chapman, Culbertson, Davidson, Friedley of Lawrence, Givan, Hackleman, Harney, Haworth, Henderson, Hendricks, LaRue, Major, Rhodes, Sarnighausen, Slater, Sleeth, Smith, Thompson and Winterbotham—22.

So the amendment was agreed to.

Mr. Dykeman offered the following amendment :

Amend line 28, "*Provided* no charge shall be made for any affidavit not expressly authorized by law."

Which was agreed to.

Mr. Daggy moved to amend as follows :

Amend section 13 in line 9, by striking out "and one-half."

Which was agreed to.

Mr. Boone offered the following amendment to section 13: Add to end of section "*Provided*, That this section shall only apply to estates upon which letters of administration are granted after the taking effect of this act."

Which was agreed to.

Mr. Neff moved to amend as follows:

Amend line 8 so as to read: "One-half of one per cent."

Which was agreed to.

Mr. Dykeman offered the following amendment:

The auditor shall furnish at his own cost all stationery and blanks used by him in the discharge of his official duties.

Mr. Slater moved that the amendment do lie on the table.

Messrs. Dykeman and Hough demanded the ayes and noes.

Those voting in the affirmative were,

Messrs. Baxter, Boone, Cardwell, Chapman, Cree, Culbertson, Daggy, Friedley of Lawrence, Givan, Grove, Hackleman, Harney, Haworth, Henderson, Hendricks, Humphries, LaRue, Major, Maxwell, Neff, Rhodes, Ringo, Roe, Scott, Slater, Thompson, Tobin, Underwood, Wilson and Winterbotham—30.

Those who voted in the negative were,

Messrs. Beardsley, Bearss, Bowman, Bunyan, Dykeman, Hough, Johnston of Parke, Peed, Sarnighausen and Smith—10.

So the motion was agreed to and the amendment laid on the table.

Mr. Rhodes offered the following amendment to section 16:

For each tax deed to be paid by the person receiving such deed, including acknowledgment and registry, \$1.00. For taking and approving bonds and recording the same, to be paid by the party giving the same, \$1.00.

Which was agreed to.

Mr. Slater moved to amend by inserting in line 4, after the word "other," the word "proceedings."

Which was agreed to.

Mr. Rhodes moved to amend section 18 as follows, "to be paid as in section 17,"

Which was agreed to.

Mr. Dykeman offered the following amendment :

Amend section 20 by inserting in line 24, after the word "allowed," the following, "but no mileage shall be allowed on such writ."

Which was agreed to.

Mr. Chapman moved to amend the 49th line by inserting after the word "court" the words "as to number required."

Which was agreed to.

Mr. Dykeman moved to amend by inserting "but such allowance shall not be made unless an itemized account for such sum shall be filed with the board ten days before the commissioners' court meets, and any citizens of the county may resist said account."

Which was agreed to.

Mr. Smith offered the following amendment to section 21 :

Insert in the proper place, "the county commissioners shall, at their June session in each year, let the county printing and legal advertisements to the lowest bidder; *Provided*, That no greater sum shall be allowed than is now allowed by this act."

Which was agreed to.

Mr. Slater moved to amend by striking out in line 11 the words "one dollar," and inserting in lieu thereof the words "one dollar and twenty-five cents."

Messrs. Slater and Friedley of Lawrence demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Bell, Chapman, Culbertson, Friedley of Lawrence, Givan, Grove, Hackleman, Harney, Hendricks, Maxwell, Peed, Sarnighausen, Slater, Smith, Wilson and Winterbotham—16.

Those who voted in the negative were,

Messrs. Baxter, Beardsley, Bearss, Boone, Bowman, Bunyan, Cardwell, Daggy, Davidson, Dykeman, Gooding, Haworth, Hough, Humphries, Johnston of Parke, LaRue, Major, Neff, Rhodes, Ringo, Scott, Thompson, Tobin and Underwood—24.

So the amendment was not agreed to.

Mr. Hough offered the following amendment :

Amend section 22 by adding the following at the close of the section : "And each Recorder shall furnish at his own expense all stationery used by him in the discharge of his official duties, excepting such record books as are required by law."

Which was agreed to.

Mr. Chapman moved to amend by inserting after the word "acknowledgment," in second line of section 22, the words "and acknowledgment and filing."

Which was agreed to.

Mr. Chapman moved to amend section 24 by striking out the words "on hand and," in the fifth line.

Which was agreed to.

Mr. Hough moved to amend section 25 by striking out line seven.

Which was agreed to.

Mr. Johnston of Parke moved to amend section 26 by striking out the words "four dollars," and inserting in lieu thereof the words "three dollars."

Messrs. LaRue and Slater demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Baxter, Bearss, Bell, Boone, Bowman, Bunyan, Cardwell, Chapman, Culbertson, Daggy, Dykeman, Grove, Haworth, Johnston of Parke, Neff, Peed, Skinner, Wilson and Winterbotham—19.

Those who voted in the negative were,

Messrs. Cree, Davidson, Friedley of Lawrence, Hackleman, Harney, Hendricks, Hough, Humphries, LaRue, Major, Maxwell, Oliver, Rhodes, Ringo, Sarnighausen, Scott, Slater, Smith, Thompson, Tobin and Underwood—22.

So the amendment was not agreed to.

Mr. Johnston of Parke moved to amend section 27 by striking out the words "two dollars" and inserting in lieu thereof "one dollar and fifty cents."

Which was agreed to.

Mr. Friedley of Lawrence offered the following amendment to section 28:

Strike out all after the word "to-wit" in line 2, and insert the following: "For docket fee on plea of guilty, in felony \$10; docket fee on plea of guilty in misdemeanor \$7; docket fee before Justice of the Peace on plea of guilty or on conviction \$5; docket fee in divorce case where successfully resisted, and to be taxed as costs and paid by the losing party \$10; docket fee on forfeited recognizance \$10; and when he prosecutes to final judgment against the defendant ten per cent. on the money collected; docket fee on plea of not guilty in felonies, \$10; docket fee in plea of not guilty in misdemeanors \$10. In all other cases when the Circuit, Criminal Circuit or District Prosecuting Attorney is required to prosecute or defend, the fee shall be \$10.

Mr. Chapman moved that the amendment do lie on the table.

Messrs. LaRue and Friedley of Lawrence demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Baxter, Bearss, Boone, Bowman, Bunyan, Cardwell, Chapman, Cree, Culbertson, Dykeman, Grove, Hackleman, Harney, Haworth, Hough, Humphries, Johnston of Parke, Major, Maxwell, Rhodes, Ringo, Skinner, Slater, Tobin, Underwood and Wilson—26.

Those who voted in the negative were,

Messrs. Bell, Daggy, Davidson, Friedley of Lawrence, Givan, Hendricks, LaRue, Neff, Oliver, Peed, Sarnighausen, Scott, Thompson and Winterbotham—14.

So the motion was agreed to and the amendment was laid on the table.

Mr. Boone offered the following amendment to section 28:

Add to the end of section the following: *Provided*, That no fee shall be taxed unless the prosecutor or his deputy shall have been present and rendered service in the cause.

Which was agreed to.

Mr. Hough moved to amend section 29 by inserting in line 18, after the word "day," the following: "Occupied in trial after the first."

Which was agreed to.

By unanimous consent Mr. Harney substituted the following amendment for his former amendment to Engrossed House Bill No. 101:

Amend by adding to section 1, "any person or persons, or any incorporate company desiring to keep any such public warehouse, shall be entitled to do so upon recording a permit therefor from the auditor of the county in which such warehouse shall be kept; such permit shall be granted upon the written application signed by the owner or owners of such warehouse, if private persons, or if owned by a corporation, by the president and secretary thereof. Every

warehouse receiving such permit shall continue subject to the provisions of this act until the owner or owners thereof shall file in said auditor's office, written notice signed as aforesaid, that they desire to renounce the character of public warehousemen, and for one year thereafter such auditor shall keep a record of such permit and renouncement; no warehouseman, not taking out such permit, shall be in any wise effected by the provisions of this act."

Mr. LaRue moved to postpone the further consideration of the present special order until to-morrow at 7 o'clock p. m., and that when the Senate adjourn it be until 7 o'clock this evening.

Mr. Humphries moved to amend by making the present special order the Fee and Salary Bill a special order for to-morrow morning at 10 o'clock.

Which was agreed to.

The question recurring on the motion of Mr. LaRue, as amended,

It was agreed to.

On motion by Mr. Chapman the Senate took a recess until 7 o'clock this evening.

EVENING SESSION.

Senate re-assembled.

In the absence of the President the Senate was called to order by the Assistant Secretary.

On motion by Mr. Chapman Mr. Harney took the chair.

This being the hour for the consideration of the special order, being Senate Bills Nos. 4, 40, 69, 205 and 295, on the subject of railroads.

Senate Bill No. 4. A bill to repeal an act entitled "An act to require railroad companies to issue stock paid for by taxes voted in

aid of their railroad to the taxpayers or their assignees, and to issue unclaimed stock for the benefit of the common school fund," etc.

Was read a second time.

The question being on concurring in the report of the Committee on Railroads that the bill do lie on the table.

It was not concurred in.

The bill was then ordered engrossed.

Senate Bill No. 40. A bill to enable employes of railroad companies to collect compensation for labor performed, etc.

Was read a second time.

The question being on concurring in the report of the Committee on Railroads,

Mr. Bell moved to amend the report so as to indefinitely postpone the bill.

Messrs. LaRue and Ringo demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Beardsley, Bell, Boone, Bowman, Cardwell, Chapman, Cree, Daggy, Dykeman, Friedley of Lawrence, Givan, Gooding, Hackleman, Harney, Haworth, Hendricks, Johnston of Parke, Major, Neff, Oliver, Rhodes, Ringo, Scott, Skinner, Thompson, Underwood and Winterbotham—27.

Those who voted in the negative were,

Messrs. Bunyan, Davidson, Grove, LaRue, Maxwell, Peed, Roe and Slater—8.

So the motion was agreed to.

The question now being on concurring in the report of the committee as amended.

Messrs. LaRue and Peed demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Beardsley, Bell, Boone, Bowman, Cardwell, Chapman, Daggy, Dykeman, Friedley of Lawrence, Givan, Gooding, Hackleman, Harney, Haworth, Hendricks, Hough, Johnston of Parke, Major, Neff, Oliver, Rhodes, Ringo, Scott, Skinner, Slater, Thompson, Underwood and Winterbotham—28.

Those who voted in the negative were,

Messrs. Baxter, Bunyan, Culbertson, Davidson, Grove, LaRue, Maxwell, Peed and Roe—9.

So the report of the Committee as amended was concurred in and the bill indefinitely postponed.

Senate Bill No. 69. A bill compelling railroad corporations to fence their tracks, etc.

Was read a second time.

The question being, on concurring in the report of the Committee on County and Township Business,

Mr. Slater moved to amend the report so as to indefinitely postpone the bill.

Messrs. Neff and Bunyan demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bell, Boone, Chapman, Culbertson, Daggy, Davidson, Dykeman, Friedley of Lawrence, Gooding, Hackleman, Harney, Hendricks, Hough, Johnston of Parke, LaRue, Major, Maxwell, Oliver, Rhodes, Ringo, Roe, Scott, Skinner, Slater, Thompson and Winterbotham—28.

Those who voted in the negative were,

Messrs. Bowman, Bunyan, Cardwell, Givan, Grove, Haworth, Neff, Peed and Underwood—9.

So the motion was agreed to and the report of the Committee so amended.

The question being on concurring in the report of the Committee as amended,

It was concurred in and the bill indefinitely postponed.

Senate Bill No. 205. A bill regulating railroad freights in this State, etc.

Was read a second time.

The question being on concurring in the report of the Committee on Railroads,

Messrs. Neff and Haworth demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Beardsley, Bell, Boone, Chapman, Culbertson, Daggy, Davidson, Dykeman, Friedley of Lawrence, Givan, Hackleman, Harney, Hendricks, Johnston of Parke, LaRue, Major, Maxwell, Oliver, Rhodes, Roe, Scott, Skinner and Thompson—23.

Those who voted in the negative were,

Messrs. Baxter, Bowman, Bunyan, Cardwell, Givan, Grove, Haworth, Hough, Neff, Peed, Ringo, Slater and Underwood—13.

So the report of the Committee was concurred in and the bill indefinitely postponed.

Senate Bill No. 85. A bill to prevent exorbitant charges for and unjust discrimination in the transportation of freight by railroad companies, etc.

Was read a second time.

The question being on concurring in the report of the Committee on Railroads,

On motion, by Mr. Scott, the Senate adjourned until to-morrow morning, 9 o'clock.

LEONIDAS SEXTON,

President of the Senate.

FRIDAY MORNING.

FEBRUARY 26, 1875—9 O'CLOCK.

Senate assembled, President in the chair.

Journal of yesterday read and approved.

Mr. Daggy made the following report :

MR. PRESIDENT :

The Committee on Phraseology and Arrangement of Bills have examined Senate Bills Nos. 268 and 335 and find the same correctly engrossed.

Message from the House by Mr. Holmes, Clerk thereof :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed the following :

Engrossed House Bill No. 460. A bill to incorporate the Widows' and Orphans' Asylum of Indianapolis, and changing the name of said corporation, etc.

And said bill is herewith transmitted for the action of the Senate,

Mr. Sarnighausen, from the Select Committee on the Wabash and Erie Canal, made the following report :

MR. PRESIDENT :

Your Committee on the Wabash and Erie Canal, to whom was referred the Governor's communication of the 9th inst., and accompanying documents concerning the canal, have had the matter under careful consideration, and have instructed me to report it back with the following remarks and recommendations :

Your Committee cannot but fully agree with the Governor's opinion, expressed in his communication, that the abandonment of the canal as now threatened with would be a public loss, even in its present dilapidated shape. It proves itself a powerful check upon high charges for railroad transportation, and it can easily be understood how great benefits would be derived from it, if it would be possible to complete it, so that the rich and almost inexhaustible coal fields in the counties of Fountain and Parke, situated in the immediate vicinity of this canal, could be reached and thrown open to the traffic therein. It would open a market for this product of incommensurable value through the whole interior part of the State, and benefit not only these counties but all counties along the line of the canal, and also the adjoining counties.

Your Committee have availed themselves of the advice of a gentleman connected with the canal for thirty-five years, and he assures us that from one hundred and fifty to two hundred canal boats would constantly be employed in the coal trade during the season. If your Committee take further into consideration that the canal passes already through one of the richest and most fertile parts of the States; that the grain crop in the ten counties immediately adjoining the canal amounts yearly to over sixteen millions of bushels; that several of these counties have excellent quarries from which a great quantity of stone is shipped; that they are very well timbered, and that the shipment of timber represents also a great value, then we have another illustration of the importance of the canal. And these remarks refer not only to the line of counties through which the canal passes, but also to the lines of counties adjoining such counties north and south. We find that twenty-six counties, with a population of no less than 485,000 inhabitants, are more or less directly or indirectly interested in the maintenance of the canal, and it can not be doubted at all that the canal, if put in proper repair and under judicious management, must be a paying institution, and a powerful competitor to the railroads if grain or timber is shipped, not only from the counties of Allen, Cass and Tippecanoe, but also from the counties of Wells, Adams, Howard, etc., to the railroad stations, to be forwarded eastward or westward. It makes a great difference whether the canal is in good navigable condition or not.

If it is in such condition, the railroad companies are compelled to fix moderate rates for freight; if not, they may charge the most exorbitant prices. The canal forms the only water route from the

eastern part of the State to the lakes, and your committee are of the opinion that, especially at the present time, when public opinion has been given with so great earnestness to the subject of the cost of transportation, and the opinion prevails very extensively that the improvement and development of a line of water communication from the interior gives the reliable assurance of the cheap transportation of heavy and bulky products. The people of Indiana can not be indifferent to the preservation of a canal already constructed from the coal regions of the State, and through a most productive portion thereof, and having a water communication with the lake. Your committee take the liberty to refer to the statement made by the trustees of the Wabash and Erie Canal in their reports from 1873 and 1874. There is probably not one route that should attract more attention, or that holds out greater inducements, or that would do more if improved to solve the problem of cheap transportation between the east and the west than the Wabash and Erie Canal, looking at its terminal points of Toledo, at the head of Lake Erie in the east, and Lafayette, Attica and Terre Haute in the valley of the Wabash in the west. The expenditure of a comparatively small sum, say \$500,000 would put this canal from the one end to the other in good condition, and thus establish one of the most valuable water lines for the transportation of freight to be found in the United States west of Lake Erie.

In addition to this, your Committee would refer to the experiments made in the State of New York where, by the improvements of the canals, the freight rates for grain have been reduced from 13 to 8 cents per bushel, and would further state that if, by the repair of the Wabash and Erie Canal, the freight rates would be reduced only three cents per bushel, the money thus saved by the aforesaid ten counties touched by the canal, would amount to \$250,000. As it is very well known that railroads cannot afford to carry certain articles of freight for the same rates as canals are able to do, your committee believe that they have shown in these brief remarks the importance is, in their opinion, a sufficient reason for maintaining the same and preserving it from decay and disuse. They will, therefore, not dwell further upon other reasons by which the necessity for such preservation might be illustrated, and pass over the importance and value of the canal for the several cities and towns along the line in reference to the water power for the use of the mills and manufactories to the supply of water in case of fire, etc. Also, over the relation of the large land grants donated for the construction of the canal to the State of Ohio, and the transactions

have taken place in 1840, as the opinions in reference to the bearing of these transactions might be divided.

The costs for repairing, cleaning, completing and enlarging the canal from the State Line to Terre Haute are estimated in the average at \$2,500 to \$3,000 per mile, and although your committee are satisfied that this outlay of money would be a paying investment and not too great in order to secure the maintenance of a public work of such importance, yet they believe that it would not be safe for the State to come in just now and take the canal in her hands. It is well known that a litigation is pending now before the United States Court, District of Indiana, brought forward by J. K. Gapin, from New York, in his own and other canal bondholders' behalf, and they pray that the trust be wound up as the same is unable to restore the canal to a condition for a profitable use to prevent its decay, that an account may be taken of the amount and classes and priorities of said canal stock issued under the acts of 1846 and 1847 and of the amount now due for principal and interest upon all classes thereof, that an account be made of the transaction of the board of trustees and a statement and showing of the present condition of the trust fund.

The complainants pray further that the courts shall take into its hands and administer the canal and all else in the hands of the Board of Trustees in trust for the said stockholders, and that when the accounts are fully taken as prayed for the sale of the canal and its appurtenances and lands may be decreed in such manner and on such terms as the court may deem best for the interest of those entitled to share in the proceeds thereof. The complaint about the insufficiency of the Board of Trustees to restore the land to a condition for profitable use is too well founded. The last report of the Board demonstrate it clearly, and the question arises can the State do anything to preserve the canal from the destruction it is threatened with, and to maintain this public work? Your committee have paid the most careful attention to this matter, perhaps one of the vexed questions pending before the present Legislature. They came to the conclusion that it would not be safe for the State to become a party in the before-mentioned litigation, as such a transaction would establish a dangerous precedent, and that it would be likewise dangerous at this time to make appropriations for the maintenance of the canal as the complainants could avail themselves of such action, claiming that the objection litigations had been taken away from their hands and trying to make the State liable

for the whole amount, principal and interest of the so called canal debt. Your committee must for the present moment be satisfied with the most earnest recommendation to the counties through which the canal passes, to appropriate so much as will be absolutely necessary to preserve the canal until the court will have rendered the final decision. These counties were authorized to do so by the law of 1873, and no protest can be denied from such an action, but at the same time your committee believe that the State should pay the closest attention to the proceedings going on in court; time has been granted to the defendants until the first day of April, to answer to the complaint, and in regard to the final decision can hardly a doubt be entertained. It is more than probable that a decree for the sale of the canal will be given, and then it will be for the State to protect the rights and the interests of the people in reference to this matter. The first point to be taken in consideration will be to prevent railroad companies from buying the canal in order to abandon it, and for this reason your committee have already introduced a bill repealing the law by which railroad companies are authorized to buy canal property.

The Governor has also instructed the Attorney-General to pay close attention to the course of the litigation. Your committee further introduced a bill authorizing private companies to take the management of canals heretofore built, and they would respectfully recommend the passage of those two bills, but it is impossible to state now in what condition the matters will be at the time of the sale. It may be that after the experiences heretofore made companies may not be willing at all to offer bids or that they will not be willing, if they can not get help in any way from the State. Perhaps other emergencies may arise during the recess of the Legislature. The Governor will be then the proper authority to take care of the rights and interests of the people, but it will be very desirable to consider this matter not only from the executive but also from the representative stand point, and for that reason it will be of great value for him and for the people if he will be enabled to consult with the representatives of the people, and to have their advice and recommendations in regard to the steps to be taken. To call for a special session of the Legislature would be a measure to be adopted only in case of extreme necessity, as it would involve a great expense and for that reason your Committee offer the following concurrent resolution, believing that by the adoption thereof the interests of the people will find the proper consideration and attention, and the Governor

will be enabled to act with more knowledge in reference to the wishes and the necessities of the people. The committee, of course, will not meet without urgent necessity, and if it should not be necessary to meet at all it will be so much better, but it seems necessary to agree upon some measures in cases of emergency, and the course indicated by this resolution seems in this moment the only measure giving hope for a solution of the problem, and your committee therefore recommend respectfully the adoption of the same.

Mr. Sarnighausen offered the following concurrent resolution :

WHEREAS, Proceedings are pending in the Circuit Court of the United States in the District of Indiana, for the purpose of selling the Wabash and Erie Canal : and,

WHEREAS, The interests of the people of the State are involved in the preservation of the canal ; therefore, be it

Resolved by the Senate and House of Representatives, That the Special Committee of the Senate on the Wabash and Erie Canal and the Committee of the House of Representatives on Canals be continued as a joint committee of the General Assembly during the recess thereof, and that the same be authorized to meet during the recess upon the call of the chairman of the Senate committee to consider the interests of the State and people in respect to the canal.

Mr. Dykeman offered the following amendment :

Amend as follows : "On such call being authorized by the Governor, and that the services of such committee shall be without compensation."

Mr. Haworth moved to amend by striking out "House committee."

Mr. Smith moved that the concurrent resolution do lie on the table.

Messrs. Givan and Friedley of Lawrence demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs Baxter, Beardsley, Boone, Bowman, Bunyan, Chapman, Culbertson, Davidson, Friedley of Lawrence, Givan, Gooding, Grove, Haworth, Henderson, Hendricks, Hough, Humphries, Major, Maxwell, Neff, Oliver, Peed, Ringo, Roe, Slater, Smith, Thompson, Tobin, Underwood and Wilson—31.

Those who voted in the negative were,

Messrs. Bearss, Bell, Daggy, Dykeman, Hackleman, LaRue, Sarnighausen, Scott and Skinner—9.

So the concurrent resolution was laid on the table.

On motion by Mr. Scott, Senate Bill No. 202, a bill on the State House, was made a special order for 3 o'clock this afternoon.

The President announced that he had appointed on the select committee to investigate the Prison, North, Mr. Harney in place of Mr. Peed who declines to serve.

Also, the following select committee concerning swamp and overflowed lands: Messrs. Dykeman, Johnston of Parke and Skinner.

By unanimous consent, Mr. Sarnighausen presented a petition from citizens of Allen county on the subject of the Wabash and Erie Canal.

Read and referred to the Committee on Judiciary.

By unanimous consent, the following report by Mr. Oliver was made:

MR. PRESIDENT:

Your Committee on Public Buildings, to whom was referred the report of the Joint Committee on State House Plans, have had the same under consideration and respectfully report that they recognize the fact that the late committee have bestowed a great deal of careful consideration on the duties assigned them, have acted with deliberation

and impartiality and are entitled to the attention and respect of this General Assembly. We have not had time or opportunity for more than a cursory examination of the plans recommended by them, but from such examination as we have been able to make, and our confidence in the integrity and sound judgment of that committee, we concur in their report and recommendations.

Approved by Oliver, Scott, Gilbert and Morgan; opinion withheld by Hopkins and Slater, absent.

Was made a special order for 2 o'clock p. m.

By unanimous consent, Mr Boone made the following report:

MR. PRESIDENT:

The Committee on Judiciary, to whom was referred a communication from the Governor, making certain nominations for trustees of the House of Refuge, have had the same under consideration and a majority of said committee have instructed me to report the same back to the Senate with a recommendation for the confirmation of Finley Bigger, of Rushville.

The Governor having withdrawn the other nomination by communication to the Senate on yesterday, no further question is presented for the action of the committee.

The report of the Committee was concurred in.

The appointment by the Governor of Finley Bigger as trustee of the House of Refuge was confirmed by the Senate.

The hour of 10 o'clock having arrived, it being the hour for the further consideration of the fee and salary bill,

Section 30 was considered.

Mr. Friedley of Lawrence, offered the following amendment:

Amend by striking out "\$2.00" and insert in lieu thereof "\$1.50," in line 3, section 30.

Messrs. Dykeman and LaRue demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Baxter, Bearss, Chapman, Culbertson, Dykeman, Friedley of Lawrence, Givan, Grove, Haworth, Henderson, Hough, Humphries, Major, Peed, Scott and Skinner—16.

Those who voted in the negative were,

Messrs. Beardsley, Bell, Boone, Bowman, Bunyan, Daggy, Davidson, Hackleman, Henderson, LaRue, Maxwell, Neff, Rhodes, Ringo, Roe, Slater, Smith, Thompson, Tobin, Underwood and Wilson—21.

So the amendment was not agreed to.

Mr. Dykeman moved to amend section 35 by inserting in line 8, after the word "inquest" the following words "at a pay not exceeding \$2.00 per day."

Which was agreed to.

Mr. Smith moved to amend section 38 by striking out all after the word "cause," in line 4, and the word "payment" in line 5.

Which was agreed to.

Mr. LaRue moved to amend section 40 by adding after the word "county," in line 4, the word "jail."

Which was agreed to.

Mr. Dykeman moved to amend by inserting after the word "services," at the end of line 2, the words "any other fees or at."

Which was agreed to.

Mr. Hough moved to amend by inserting after the word "he," in line 3, the words "deemed guilty of a misdemeanor, and when convicted thereof shall be."

Which was agreed to.

Mr. Dykeman offered the following amendment to section 43 :

Amend by inserting after the word "claimed," in line 2, the following, "but no fees shall be allowed the clerk for any affidavit or any other proof of such attendance."

Which was agreed to.

Mr. Boone moved to amend section 44 in line 2, after the word "owning," by inserting the words "the same."

Which was agreed to.

Mr. Hough moved to amend section 48 by striking out the word "the" before the word "fee" in line 1, and also by inserting after the word "bills," in the same line, the words "for the fees."

Which was agreed to.

Mr. Bell moved to amend section 49 by striking out in line 5 the words "as in other causes."

Which was agreed to.

Mr. LaRue moved to amend section 50 by striking out the word "bond," in line 5, and inserting the word "liable." Strike out the words "on his bond," in line 5, and insert in lieu thereof the words "on his official bond."

Which was agreed to.

Mr. Humphries moved to amend section 50 by inserting after the word "State," in line 2, the following, "and all other officers receiving money in their official capacity."

Which was agreed to.

Mr. Beardsley offered the following amendment: Amend by inserting the following additional sections:

Section 51. The Directors of the State Prison, North, and State Prison, South, shall each receive five hundred dollars per annum and no more.

Sec. 52. The Trustees of the Hospital for the Insane, the Deaf and Dumb and the Blind Asylum shall each receive three hundred

dollars per annum and no more and the President of the Board of Trustees of said Asylums shall receive five hundred dollars per annum and no more.

Which was agreed to.

Mr. Rhodes offered the following amendment to section 53:

Insert at close of line 39, section 53: "*And provided further, That an act entitled "An act to regulate the mileage of Sheriffs in conveying convicts to the State Prison, and of County Treasurers in making deposits, and in their settlements with the Treasurer and Auditor of State, mileage of members of the General Assembly," approved June 17, 1852, be and the same is hereby repealed.*"

Which was agreed to.

Mr. Bell moved to strike out section 54.

Messrs. Dykeman and Sarnighausen demanded the ayes and noes.

Those voting in the affirmative were,

Messrs. Beardsley, Bell, Boone, Bowman, Chapman, Culbertson, Daggy, Davidson, Friedley of Lawrence, Gooding, Grove, Hackleman, Henderson, Hendricks, Hough, Humphries, LaRue, Maxwell, Oliver, Peed, Rhodes, Ringo, Roe, Sarnighausen, Scott, Skinner, Slater, Smith, Thompson, Tobin and Wilson—31.

Those who voted in the negative were,

Messrs. Baxter, Bearss, Bunyan, Dykeman, Givan, Haworth, Major and Underwood—8.

So the motion was agreed to and the section stricken out.

Mr. Daggy offered the following amendment to the bill: Insert between sections 35 and '37 as follows:

Section 36. That Township Assessors shall receive for each day's actual service the sum of three dollars.

Mr. Slater moved to amend by striking out the words "three dollars" and insert in lieu thereof "two dollars and fifty cents."

Which was agreed to.

The amendment as amended was then agreed to.

Mr. Rhodes moved to reconsider the vote whereby section 14 was adopted.

Which was agreed to.

And offered the following amendment:

Amend by striking out all after the word "receive" in line 8, section 14, and inserting in lieu thereof the following: "One dollar when the assets in the hands of guardian do not exceed one thousand dollars, and two dollars when such assets exceed that sum."

Which was agreed to.

Mr. Humphries moved to reconsider the vote whereby section 15 was adopted.

Which was agreed to.

And offered the following amendment:

Amend section 15 by striking out of line 4 the word "fifty" and insert in lieu thereof the words "seventy-five."

Mr. LaRue moved to amend the amendment by inserting "one hundred dollars" in lieu of "seventy-five dollars."

Mr. Friedley of Lawrence moved that the amendment to the amendment do lie on the table.

Messrs. Bell and LaRue demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bearss, Boone, Bunyan, Chapman, Culbertson, Daggy, Davidson, Dykeman, Friedley of Lawrence,

Givan, Grove, Hackleman, Haworth, Hough, Humphries, Major, Maxwell, Neff, Oliver, Rhodes, Ringo, Roe, Scott, Tobin, Underwood and Wilson—28.

Those who voted in the negative were,

Messrs. Bowman, Gooding, Henderson, Hendricks, LaRue, Peed, Sarnighausen, Skinner, Slater, Smith, Thompson and Winterbotham—12.

So the motion was agreed to and the amendment to the amendment laid on the table.

The question being on the amendment offered by Mr. Humphries,

Mr. Bearss moved that the amendment do lie on the table.

Messrs. Bell and Dykeman demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Bearss, Daggy, Haworth, Oliver and Peed—5.

Those who voted in the negative were,

Messrs. Baxter, Beardsley, Bell, Boone, Bowman, Bunyan, Chapman, Culbertson, Davidson, Dykeman, Friedley of Lawrence, Givan, Gooding, Grove, Hackleman, Henderson, Hendricks, Hough, Humphries, LaRue, Major, Maxwell, Neff, Rhodes, Ringo, Roe, Sarnighausen, Skinner, Slater, Smith, Thompson, Tobin, Underwood, Wilson and Winterbotham—35.

So the motion was not agreed to.

The question recurring on the amendment of Mr. Humphries.

It was agreed to.

Mr. Hough moved to reconsider the vote whereby section 20 was adopted.

Which was agreed to.

Mr. Hough offered the following amendment :

Amend by inserting after the word "court," where it first occurs in the 49th line of section 20, the following : "*Provided*, That if the sheriff does not attend upon the court in person, the court may appoint one bailiff to attend in the court room during term time."

Which was agreed to.

By unanimous consent Mr. Rhodes offered the following amendment to section 16 :

Strike out lines 4 and 5, in section 16, and insert the following : "For copies of all records, deeds or other writings not herein provided for, for each one hundred words, (four figures counting as one word) to be paid for by the person requiring the service."

Which was agreed to.

The bill as amended was then ordered engrossed.

Mr. Scott made the following report : That they had examined the engrossed amendments to House Bill No. 101, and Senate Bill No. 259, and find the same correctly engrossed.

Mr. Wilson made the following report :

MR. PRESIDENT :

The Committee on Enrolled Bills, to whom was referred Bills Nos. 21 and 304, have examined the same and find them correctly enrolled.

Message from the House by Mr. Holmes, Clerk thereof :

MR. PRESIDENT :

I am directed by the Speaker of the House to inform the Senate that the House has passed Engrossed Senate Bill No. 15, a bill to regulate the sale of intoxicating liquors, to provide against drunkenness, prescribing penalties, to repeal all laws containing the provisions of this act, and declaring an emergency, with the following engrossed amendments to-wit :

By striking out of said bill after the enacting clause in section 1, and inserting therein the following, to-wit: Also, by striking out the title and inserting the following:

Engrossed House Bill No. —, an act to regulate and license the sale of spiritous, vinous, malt and other intoxicating liquors, to limit the license fee to be charged by cities and towns, regulating the sale of intoxicating liquors, and all laws and parts of laws coming in conflict with the provisions of this act, prescribing penalties for the violation thereof, and declaring an emergency, and the same is herewith transmitted to the Senate.

On motion, by Mr. Humphries, the Senate took a recess until 2 o'clock p. m.

AFTERNOON SESSION.

Senate re-assembled, President in the chair.

Leave of absence was granted Mr. Cree on account of sickness, by unanimous consent.

Engrossed House Bill No. 410, a bill legalizing the acts of the board of trustees of incorporated towns in certain cases was referred to the Committee on Judiciary.

Mr. Friedley of Lawrence, from the Committee on Judiciary, made the following report:

MR. PRESIDENT:

The Committee on Judiciary, to whom was referred Senate Bill No. 344, being a bill entitled "An act for the relief of Alexander D. Carmichael, Christopher Whiton, and James Dodd and Jackson H. Clendenen, sureties upon the bond of John M. Stultz, former trustee of Clear Creek township, Monroe county, Indiana, and to authorize the proper officers to levy a sufficient tax to make up the deficit arising from said trustee's defalcation, and for other matters

connected therewith and I am instructed by said committee to report the same back without any recommendation.

Was placed on the calendar.

Mr. Dykeman moved to suspend the order of business and take up Senate Bill No. 318, the fee and salary bill.

Which was agreed to and the bill read a third time.

The question being, shall the bill pass?

Mr. Slater offered the following:

That the bill be recommitted with instructions to insert the following:

The members of the General Assembly shall receive five dollars per day while in actual attendance, or absent by leave or unable to attend from sickness, and five dollars for every twenty-five miles they may travel from their usual place of residence to the seat of government and back by the most usual route traveled, and the members of the General Assembly shall furnish their own stationery without any cost to the State therefor.

Mr. Dykeman moved that the amendment do lie on the table.

Messrs. Slater and Bell demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Beardsley, Bearss, Boone, Bunyan, Cree, Daggy, Davidson, Dykeman, Friedley of Lawrence, Gooding, Grove, Hackleman, Haworth, Hendricks, Hough, Humphries, Major, Neff, Oliver, Rhodes, Sarnighausen, Scott, Skinner, Smith, Thompson, Tobin, Underwood and Wilson—28.

Those who voted in the negative were,

Messrs. Baxter, Bell, Bowman, Chapman, Culbertson, Givan, LaRue, Maxwell, Peed, Ringo, Roe, Slater and Winterbotham—13.

So the motion to recommit was laid on the table

The question recurring, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bearss, Boone, Bowman, Bunyan, Chapman, Cree, Culbertson, Daggy, Davidson, Friedley of Lawrence, Givan, Gooding, Grove, Hackleman, Haworth, Henderson, Hendricks, Hough, Humphries, Major, Maxwell, Neff, Oliver, Peed, Rhodes, Ringo, Roe, Scott, Skinner, Slater, Smith, Thompson, Tobin, Underwood, Wilson and Winterbotham—39.

Those who voted in the negative were,

Messrs. Bell, La Rue and Sarnighausen—3.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

On motion, by Mr. Dykeman, the emergency clause was stricken out of the title.

The title as amended was then agreed to.

Ordered, that the Secretary inform the House of the passage of the bill.

Message from the House by Mr. Holmes, Clerk thereof:

MR. PRESIDENT:

I am directed by the Speaker of the House to inform the Senate that he has signed Enrolled House Bills No. 207, 230 and 128, and the same are herewith transmitted to the Senate for the signature of the President thereof.

I am further directed by the Speaker of the House to inform the Senate that he has also signed the following enrolled acts of the Senate, viz:

No. 304. An act to amend section 5 of an act regulating the adoption of heirs, approved March 2, 1855, and declaring an emergency.

Also, No. 21, an act to prohibit the gift or bartering of deadly weapons or ammunition therefor to minors, and said acts are herewith returned to the Senate.

Report by Mr. Bell.

The Committee on Phraseology and Arrangement of Bills have examined Engrossed Senate Bills Nos. 124, 201, and 231, and find the same correctly engrossed.

Message from the House by Mr. Holmes, Clerk thereof :

MR. PRESIDENT :

I am directed by the Speaker of the House to inform the Senate that he has signed Enrolled House Bill No. 220, a bill providing for the incorporation of companies for the purpose of constructing bridges for railway, or common roadway purposes, etc, and the same is herewith transmitted to the Senate for the signature of the President thereof.

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed the following Engrossed House Bills, to-wit :

House Bill No. 389. An act increasing the capacity of the Indiana Hospital for the Insane by additional buildings, creating departments therein, and declaring an emergency.

Also, House Bill No. 70. An act to define bribery in certain cases, and prescribing punishment for persons bribed to vote.

Also, House Bill No. 294. An act to amend section 467 of an act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases, etc., in the courts of this State, etc.

Also, House Bill No. 433. An act regulating the manufacture and sale of illuminating gas, etc.

And said bills are herewith transmitted for the action to the Senate.

Message from the House by Mr. Holmes, Clerk thereof.

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed the following Engrossed House Bills, to-wit:

House Bill No. 217. An act concerning the organization of plank, macadamized and gravel road companies, etc.

Also, House Bill No. 44. An act to provide for the speedy collection of money due to laborers for labor performed by them for their employers.

Also, House Bill No. 388. An act authorizing the State Superintendent of Public Instruction to purchase libraries for the township of Clark in Perry county, etc.

Also, House Bill No. 355. An act to amend section 18 of an act entitled "An act concerning the partition of lands."

Also, House Bill No. 75. An act supplemental to an act entitled "An act concerning partitions of lands," approved May 20, 1852.

Also, House Bill No. 275. An act to amend an act entitled "An act to divide the State into circuits for judicial purposes," etc., approved March 6, 1873, and creating the Thirty-ninth Judicial Circuit, etc.

And said bills are herewith transmitted to the Senate for its action.

Report by Mr. Daggy:

MR. PRESIDENT:

The Committee on Phraseology and Arrangement of Bills have examined Engrossed Senate Bill No. 231, and find the same correctly engrossed.

Mr. LaRue moved to take up Senate Bill No. 343, a bill for an act to amend section 3 of an act entitled "An act regulating foreign

insurance companies doing business in this State," etc., and to suspend the constitutional rule requiring bills to be read on three several days, that the bill may be read a second time by title and a third time by sections, now.

The ayes and noes being taken under the rule,

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bearss, Boone, Bowman, Bunyan, Chapman, Cree, Culbertson, Daggy, Dykeman, Friedley of Lawrence, Givan, Gooding, Grove, Hackleman, Haworth, Hendricks, Hough, Humphries, LaRue, Major, Maxwell, Neff, Oliver, Rhodes, Ringo, Roe, Scott, Smith, Thompson, Tobin, Underwood and Wilson—34.

Those who voted in the negative were,

Messrs. Bell, Henderson, Peed, Sarnighausen, Skinner, Slater and Winterbotham—7.

So the constitutional rule was suspended and the bill read a second time by title, considered engrossed, and read a third time by sections.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bearss, Bell, Boone, Bowman, Bunyan, Chapman, Cree, Culbertson, Daggy, Davidson, Dykeman, Friedley of Lawrence, Givan, Hackleman, Haworth, Henderson, Hendricks, Hough, Humphries, LaRue, Major, Neff, Oliver, Rhodes, Ringo, Roe, Sarnighausen, Scott, Skinner, Slater, Sleeth, Smith, Thompson, Tobin and Winterbotham—39.

Messrs. Grove and Peed voting in the negative.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Ordered, that the Secretary inform the House of the passage of the bill.

On motion by Mr. Humphries, Senate Bill No. 277, a bill fixing the salary of the Governor and the Attorney General and the per diem of the members of the General Assembly, etc., was taken up.

The question being on concurring in the report of the Committee on Fees and Salaries with pending amendments,

The question being on the pending amendment by LaRue.

Messrs. LaRue and Bell demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Bell, Boone, Bowman, Cree, Culbertson, Friedley of Lawrence, Henderson, Hendricks, Humphries, LaRue, Peed, Rhodes, Roe and Wilson—14.

Those who voted in the negative were,

Messrs. Baxter, Bearss, Bunyan, Chapman, Daggy, Davidson, Dykeman, Givan, Gooding, Grove, Hackleman, Haworth, Hough, Major, Maxwell, Neff, Oliver, Ringo, Sarnighausen, Scott, Skinner, Slater, Sleeth, Smith, Thompson, Tobin, Underwood and Winterbotham—28.

So the amendment was not agreed to.

Mr. Dykeman moved to amend as follows :

An emergency exists for the immediate taking effect of this act, it is therefore in force from and after its passage.

Mr. Thompson offered the following amendment to the amendment :

Amend by striking out all of the amendment before the words, "an emergency."

Which was agreed to.

The question recurring on the amendment as amended,

Messrs. LaRue, and Friedley of Lawrence demanded the ayes noes.

Those who voted in the affirmative were,

Messrs. Bearss, Bell, Boone, Bowman, Chapman, Cree, Culbertson, Dykeman, Friedley of Lawrence, Givan, Hackleman, Haworth, Hendricks, Hough, Humphries, Maxwell, Oliver, Peed, Rhodes, Roe, Scott, Skinner, Slater, Thompson, Tobin, Wilson and Winterbotham—28.

Those who voted in the negative were,

Messrs. Baxter, Daggy, Grove, Henderson, LaRue, Major, Neff, Ringo, Sarnighausen, Sleeth, Smith and Underwood—12.

So the amendment as amended was agreed to.

Mr. Friedley of Lawrence, offered the following amendment:

Strike out "six dollars" and insert "five dollars" as the per diem of members of the General Assembly.

Messrs. LaRue and Bell demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Bearss, Bell, Boone, Bowman, Bunyan, Chapman, Cree, Culbertson, Dykeman, Friedley of Lawrence, Givan, Haworth, Hough, Humphries, Maxwell, Peed, Roe, Scott, Skinner, Slater, Thompson, Underwood, Wilson and Winterbotham—24.

Those who voted in the negative were,

Messrs. Baxter, Daggy, Davidson, Grove, Hackleman, Henderson, Hendricks, LaRue, Major, Neff, Oliver, Rhodes, Ringo, Sarnighausen, Scott, Sleeth, Smith and Tobin—19.

So the amendment was agreed to.

Mr. Bell moved to strike out the second section.

Which was not agreed to.

Mr. Dykeman moved to amend the bill as follows:

The pay of the following officers and employes shall be—

Secretary of the Senate.....	\$5 00
Assistant Secretary.....	5 00
Reading Clerk	5 00
Minute Clerk	5 00
Doorkeeper of the Senate.....	5 00
Assistant Doorkeeper.....	4 00
Postmaster	3 00
Sweeper.....	2 50
Paper Folder	2 50
Spittoon Cleaner.....	2 50
Janitor.....	2 50
Principal Clerk of the House.....	5 00
Assistant Clerks.....	5 00
Committee Clerks.....	3 50
Pages.....	1 50
Other Clerks of the House and Senate.....	4 00

Which was agreed to.

Mr. Bell moved to amend the section as follows:

Provided, That the Attorney General shall be entitled to receive their usual docket fees and fees for the collection of moneys due the State as are now allowed by law.

The pending question being on the adoption of the amendment by Mr. Bell,

Mr. Givan moved that when the Senate adjourn it be until 7 o'clock p. m.

Which was not agreed to.

The President announced that he had signed Senate Enrolled acts Nos. 304 and 21.

Also, House enrolled acts Nos. 128, 230 and 307.

On motion by Mr. Scott, Senate Bill No. 232 and the report of the Committee on Public Buildings was made a special order for Tuesday next, March 2d, at 10 o'clock a. m.

On motion by Mr. Thompson, the Senate adjourned until 9 o'clock to-morrow morning.

LEONIDAS SEXTON,

President of the Senate.

SATURDAY MORNING.

FEBRUARY 27, 1875—9 O'CLOCK.

Senate assembled.

In the absence of the President the Senate was called to order by the Minute Clerk, and

On motion by Mr. Neff, Mr. Chapman took the chair.

Journal of yesterday read and approved.

On motion by Mr. Smith, reports from standing committees were the order.

REPORTS FROM STANDING COMMITTEES.

By Mr. Boone.

MR. PRESIDENT:

The Committee on Judiciary to whom was referred Senate Bill No. 148, a bill to authorize appeals from the board of commissioners of the different counties of this State to the Circuit Court and in regard to filing of undertaking for costs, docketing causes, filing

transcripts, etc., have had the same under consideration, and a majority of said committee have instructed me to report the same back to the Senate with a recommendation that it pass. Amend the title by substituting the following: "A bill authorizing appeals from the board of county commissioners to the Circuit Court and providing for perfecting such appeals, and the trial thereof."

Was placed on the calendar.

By Mr. Boone.

MR. PRESIDENT:

The Committee on Judiciary, to whom was referred Senate Bill No. 310, a bill providing for serving process upon the officers, directors, attorneys or agents of any steamboat company, have had the same under consideration and have instructed me to report the same back to the Senate with the following amendments:

After the word "company," line 16 of section 1, add the words "by a true copy of such writ, warrant or other process, director, captain, mate, clerk, pilot or wharfmaster who receives and delivers freight for such company," and when so amended recommend its passage.

Was placed on the calendar.

Report by Mr. Boone.

MR. PRESIDENT:

The Committee on Judiciary, to whom was referred Engrossed House Bill No. 247, a bill to amend section 2 of an act entitled "An act to amend sections 2 and 6 of an act providing for a geological survey and for the collection and preservation of a geological and mineralogical cabinet of natural history of the State, etc.," approved March 7, 1873, have had the same under consideration and a majority of said committee have directed me to report the same back to the Senate with the recommendation that it do pass.

Was placed on the calendar.

Report by Mr. Peed.

MR. PRESIDENT :

The Committee on Judiciary, to whom was referred Senate Bill No. 285, being an act entitled "An act to amend section 18 of an act entitled 'an act concerning the partition of lands,'" approved May 20, 1852, have had the same under consideration and directed me to report the same back with the recommendation that said bill be laid upon the table for the reason that the subject matter of the same has already been considered by the Senate.

The report was concurred in and the bill laid on the table.

Report by Mr. Hough :

MR. PRESIDENT :

The Committee on Organization of Courts, to whom was referred Engrossed House Bill No. 265, entitled "An act supplemental to an act entitled 'an act to repeal all general laws now in force for the incorporation of cities, prescribing their powers and rights,'" etc., approved March 14, 1867, and declaring an emergency, have had the same under consideration, and have directed me to report the same back to the Senate with the recommendation that the same do pass.

Was placed on the calendar.

Report by Mr. Hough :

MR. PRESIDENT :

The Committee on Corporations, to whom was referred Engrossed House Bill No. 269, entitled "An act to legalize the official acts of the Trustees of the town of Booneville, Warrick county," etc., have had the same under consideration, and have directed me to report the same back to the Senate with the recommendation that the same do pass.

Was placed on the calendar.

By Mr. Hough :

MR. PRESIDENT :

The Committee on Corporations, to whom was referred Senate Bill No. 337, entitled "A bill to legalize the election of the officers of the town of Zionsville," have had the same under consideration and have directed me to report the same back to the Senate with the recommendation that the same do pass.

Was placed on the calendar.

Report by Mr. Maxwell :

MR. PRESIDENT :

The Committee on Temperance, to whom was referred Senate Bill No. 118, entitled "An act to regulate and license the sale of spirituous liquors," have had the same under consideration, and direct me to report the same back to the Senate with the recommendation that the same do lie on the table, as the Senate has passed a bill embodying their views on that subject.

Was placed on the calendar.

Report by Mr. Maxwell :

MR. PRESIDENT :

Your Committee, to whom was referred Senate Bill No. 165, entitled "An act making drunkenness a misdemeanor," etc., have had the same under consideration, and report the same back with a recommendation that the same do lie on the table, as the same is embraced in a bill that has passed the Senate.

Was placed on the calendar.

Report by Mr. Maxwell :

MR. PRESIDENT :

Your Committee on Temperance, to whom was referred Senate Bill No. 23, a bill to amend section 1 of an act to regulate the sale

of intoxicating liquors, have had the same under consideration and have directed me to report the same back to the Senate recommending that it lie upon the table.

Was placed on the calendar.

Report by Mr. Friedley of Lawrence :

MR. PRESIDENT :

Your Committee on Judiciary, to whom was referred Engrossed House Bill No. 258, entitled "An act to amend section 2 of an act entitled 'an act to amend section 2 of an act to amend sections 5 and 6 of an act to provide for the election of a reporter and a speedy publication of the decisions of the Supreme Court, and for the compensation of such reporter,' " approved February 28, 1855.

Also, to amend section 7 of an act entitled "An act to provide for the election of a reporter, and the speedy publication of the decisions of the Supreme Court, and for the compensation of such reporter," approved February 5, 1852, which act was approved March 6, 1865, and recommend that the same be laid on the table for the reason that a bill has already passed the Senate on the subject included in this bill.

The report concurred in and the bill laid on the table.

Report by Mr. Humphries.

MR. PRESIDENT :

The Committee on Corporations, to whom was referred Engrossed House Bill No. 245, entitled "An act to amend section 2 of an act entitled 'an act authorizing county agricultural societies to hold real estate,' " approved February 7, 1855, and to authorize such societies to issue capital stock, approved March 11, 1861, and authorize agricultural, horticultural and mechanical societies to be bodies corporate, approved February 20, 1867, have had the same under consideration, and have directed me to report the same back to the Senate with the recommendation that the same do lie on the table.

The report of the committee was concurred in and the bill laid on the table.

Majority report by Mr. Thompson.

MR. PRESIDENT :

The majority of your Committee on Expenditures, to whom was referred Senate Bill No. 237, a bill for the relief of persons whose property was taken or destroyed by the United States or State troops under the command of Generals Hobson, Wallace, Love and others while in pursuit of the rebel forces under John Morgan in the year 1863, have had the same under consideration, and a majority of said committee recommend the passage of the same.

Was placed on the calendar.

Minority report by Mr. Neff.

MR. PRESIDENT :

The Committee on Expenditures, to whom was referred Senate Bill No. 237, a bill for the relief of persons whose property was taken, injured or destroyed by the United States or State troops under command of Generals Hobson, Wallace, Love and others while in pursuit of rebel forces, under John Morgan, in the year 1863, have had the same under consideration and a minority of said committee recommend that the same do lie upon the table, as they believe the United States is liable to pay for said property, as the destruction of said property was by Government troops. They also believe it to be a bad precedent for the State to set at this time.

Was placed on the calendar.

By unanimous consent, Mr. LaRue offered the following resolution :

WHEREAS, Senate Bill No. 343, to amend the law relative to foreign insurance companies, which passed the Senate February 26, have mysteriously disappeared ; Therefore,

Resolved, That a committee of three be appointed to investigate the cause of this disappearance, and the said committee have power to administer oaths and to compel the attendance of witnesses.

Which was adopted.

The President appointed as said investigating committee, Messrs. LaRue, Smith and Major.

By unanimous consent, the special committee was also directed to inquire into the loss of the following bills:

Senate Bill No. 272, Engrossed House Bill No. 99, and Engrossed House Bill No. 333.

By unanimous consent, Mr. Tobin offered the following resolution:

Resolved, That to best develop woman's intellect, making her a bright and noble ornament to the household and public, and the most useful and agreeable companion of man, his best and most reliable staff, her thoughts should be let out of the kitchen into the broad beautiful world, and also be occupied with the large and noble concerns of government as well as with her legitimate duties within door, and that the right of suffrage rests not upon social condition, sex, or nativity, and when from any case it has been withheld from any class of citizens of our country who are of suitable age, and mentally and morally qualified therefor, it should be speedily granted by the people.

On motion of Mr. Friedley of Lawrence, it was indefinitely postponed.

By unanimous consent, Mr. Oliver offered the following resolution:

Resolved, That there be purchased a burglar and fireproof safe in which to keep bills during the session.

On motion of Mr. LaRue, the resolution was laid on the table.

By unanimous consent, Mr. Daggy introduced

Senate Bill No. 349. A bill to encourage manufacturing in incorporated towns, and providing that the same be exempt from taxation by such towns.

Was read a first time and referred to the Committee on Corporations.

By unanimous consent, Mr. Hough introduced

Senate Bill No. 350. A bill to enable mayors of cities to enforce the ordinances of their cities.

Was read a first time and referred to the Committee on Corporations.

On motion by Mr. Scott, Senate Bills on second reading was taken up.

Senate Bill No. 88. A bill providing for the recording of sheriff's certificates in certain cases.

Was read a second time, the report of the Committee on Judiciary concurred in, and the bill ordered engrossed.

Senate Bill No. 36. A bill declaring illegal and void agreements to pay attorney's fees contained in any bill of exchange, etc.

Was read a second time, the report of the Committee on Judiciary concurred in, and bill placed on the calendar.

Senate Bill No. 142. A bill to amend section 27 of the school law.

Was read a second time, the report of the Committee on Education concurred in, and the bill ordered engrossed.

Senate Bill No. 50. A bill for the incorporation of any public cemetery, etc.

Was read a second time.

The report of the Committee on the Rights and Privileges of the inhabitants of the State concurred in.

Bill placed on the calendar.

Senate Bill No. 171. A bill regulating the sale of county property, etc.

Was read a second time.

The report of the Committee on County and Township Business concurred in and the bill ordered engrossed.

Senate Bill No. 254. A bill to amend sections 23 and 117, etc.

Was read a second time.

The report of the Select Committee on Decedent Estates concurred in and the bill ordered engrossed.

Senate Bill No. 107. A bill to amend section 6 of an act entitled "An act regulating the granting of divorces, nullification of marriages," etc., and declaring an emergency.

Was read a second time.

The report of the Committee on Judiciary concurred in and the bill ordered engrossed.

Senate Bill No. 207. A bill to amend section 74 of an act entitled "An act defining misdemeanors, and prescribing punishment for."

Was read a second time.

The report of the Committee on Judiciary concurred in and the bill ordered engrossed.

Senate Bill No. 217. A bill defining certain misdemeanors, and prescribing penalties therefor.

Was read a second time.

The report of the Committee on the Rights and Privileges of the Inhabitants of the State concurred in and the bill ordered engrossed.

Senate Bill No. 95. A bill in relation to the laying out, opening, widening, altering and vacation of streets, alleys and highways, etc.

Was read a second time.

The report of the Committee on Corporations concurred in and the bill ordered engrossed.

Report by Mr. Scott.

MR. PRESIDENT :

The Committee on Phraseology and Arrangement of Bills have examined Senate Bill No. 318 and find the same correctly engrossed.

By unanimous consent, Mr. Rhodes introduced

Senate Bill No. 351. A bill to amend section 3 of an act entitled "An act regulating foreign insurance companies doing business in this State, prescribing the duties of the agent thereof and of the Auditor of State in connection therewith, and providing penalties for the violation of this act," approved December 21, 1865.

Was read a first time and referred to the Committee on Judiciary.

Report by Mr. Daggy.

MR. PRESIDENT :

The Committee on Phraseology and Arrangement of Bills have examined Engrossed Senate Bills Nos. 196, 18, 256, 241, 4 and 88 and find the same correctly engrossed.

By unanimous consent, Mr. Baxter introduced, in place of Senate Bill No. 272, lost from the files,

Senate Bill No. 352. A bill providing for the organization and government of the State Prison, etc.

Was read a first time and referred to the Committee on Prisons.

Senate Bill No. 229. A bill to amend section 6 of an act entitled "An act to provide for the valuation and assessment of the real and personal property and the collection of taxes in the State of Indiana and other matters connected therewith," approved June 21, 1852.

Was read a second time.

The question being on concurring in the report of the Committee on Finance.

Mr. Friedley of Lawrence offered the following amendment :

Amend the report of the committee as follows, to-wit : Amend by adding at the end of line 29 in section 6 the following : "And all church property not exceeding fifteen hundred dollars in value."

Also, amend further by adding at the end of line six, section two, the following : "Except as in this act hereinbefore provided."

And with these amendments the passage of the bill be recommended.

Which was agreed to.

The report of the committee as amended was concurred in, report and bill placed on the calendar.

Senate Bill No. 167. A bill creating the Fortieth Judicial Circuit, fixing the time of holding courts therein, and also the time of holding the courts in the Tenth, Twelfth and Fifteenth Judicial Circuits, and providing for the appointments of a Judge and Prosecuting Attorney in the Fortieth Circuit, and declaring an emergency.

Was read a second time, report of the committee concurred in, and the bill placed on the calendar.

Senate Bill No. 238. A bill to provide for a general system of common schools, the officers thereof, duties, powers, etc.

Was read a second time, the report of the Committee on Education concurred in.

Mr. Peed moved to amend the bill as follows :

Amend by striking out the words "four dollars" per day and insert in lieu thereof the words "three dollars" per day for County Superintendent.

Which was not agreed to.

Mr. Daggy moved to reconsider the vote whereby the report of the committee on Senate Bill No. 238 was concurred in.

Which was agreed to.

Mr. Slater offered the following amendment:

Amend by the following: The superintendent shall only visit the schools on the written request of the township or school trustees.

By unanimous consent, the bill report of the committee and the above amendment recommitted to the Committee on Education.

By consent, Mr. Rhodes offered the following resolution:

Resolved by the Senate, the House concurring therein, That the President of the Senate appoint a committee of three Senators, and the Speaker of the House a committee of five members of the House, who shall constitute a joint committee to carefully investigate the necessity and practicability of reducing the number of members of the General Assembly, and if, in their judgment, such reduction ought to be made, that they report to the next General Assembly the result of such investigation and a bill making such reduction.

Was placed on the calendar.

On motion, by Mr. Friedley of Lawrence, the order of business was suspended and Engrossed House Bill No. 200, a bill legalizing the extensions of plank, gravel and turnpike roads, etc.

Was read a second time and placed on the calendar.

By consent, Mr. Hough introduced

Senate Bill No. 353. A bill prescribing certain felonies and prescribing the penalties therefor.

Was read a first time.

Was placed on the calendar without reference.

On motion, by Mr. Roe, the Senate took a recess until 2 o'clock p. m.

AFTERNOON SESSION.

Senate re-assembled, Mr. Chapman in the chair.

By unanimous consent, Mr. Bunyan introduced

Senate Bill No. 354, a bill to empower the board of trustees of incorporated towns to pass and enforce ordinances, to regulate and prohibit the running at large of animals and to provide for the impounding, keeping and redemption thereof in certain cases.

Was read a first time and referred to the Committee on Corporations.

Message from the House by Mr. Holmes, Clerk thereof.

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed the following Engrossed House Bills, to wit :

No. 419. An act prescribing some of the duties of County Treasurers, Auditors, and County Commissioners, providing for semi-annual settlements of County Treasurers, and fixing penalties for violation thereof, etc.

Also, No. 473. An act to amend section 17 of an act entitled "An act regulating descents and the apportionment of estates," approved May 14, 1852.

Also, No. 417. An act to exempt benefits and interests of wives, children and dependents of Masonic, Odd Fellows, and other charitable societies and of mutual insurance societies from the claims of creditors, and exempting certain policies of life insurance from the claims of creditors, and said House Bills are herewith transmitted for the action of the Senate. I am further directed by the House to inform the Senate that the House has passed Engrossed Senate Bill No. 77, being an act to provide for the trial of certain causes in which changes of venue are granted, with the following Engrossed House amendments thereto, in which amendments so made by the House, the Senate is respectfully requested to concur.

Senate Bill No. 250. A bill providing for the incorporation of State, district, county, subordinate and other Granges of the Order of the Patrons of Husbandry, etc.

Was read a second time, the report of the Committee on Corporations concurred in and the bill ordered engrossed.

Senate Bill No. 344. A bill for the relief of Alexander D. Carmichael, Christopher C. Wisenand, James Dodd and Jackson H. Clendenin, surety upon the bonds of John M. Shultz, former Trustee of Clear Creek township, Monroe county, Indiana, and to authorize the proper officers to levy a sufficient tax to make up the deficit arising upon said Trustee's defalcation, and for other matters connected therewith.

Was read a second time, the report of the Committee on Judiciary concurred in and the bill ordered engrossed.

Senate Bill No. 30. A bill creating a department of statistics, and prescribing rules, etc.

Was read a second time, the report of the Committee on Emigration and Statistics concurred in and the bill ordered engrossed.

Senate Bill No. 290. A bill to amend section 17 of an act entitled "An act containing several provisions regarding landlords, tenants, lessors and lessees," approved May 20th, 1852.

Was read a second time, the report of the Committee on Agriculture concurred in and the bill ordered engrossed.

By consent, Engrossed House Bill No. 275. A bill to divide the State into circuits for judicial purposes, etc.

Was taken up and read a first time, and without reference placed on the calendar.

Senate Bill No. 220. A bill to provide for the appointment of a proper person to collect, arrange and index the Wabash and Erie Canal, Michigan Road, University, Saline, Seminary and Donation lands, and the preservation of records pertaining to the same, etc.

Was read a second time, the report of the Committee on Swamp Lands concurred in, and the bill ordered engrossed.

Senate Bill No. 279. A bill authorizing the board of commissioners of counties where contracts have been made for the erection of court houses and other public improvements, etc.

Was read a second time, the report of the Committee on County and Township Business concurred in, and the bill laid on the table.

Engrossed House Bill No. 269. An act to legalize the official acts of the trustees of the town of Booneville, Warrick county.

Was read a second time, the report of the Committee on Corporations concurred in, bill and report placed on the calendar.

Senate Bill No. 42. A bill to provide for the redemption of personal property sold for taxes.

Was read a second time, the report of the Committee on Judiciary concurred in, and the bill ordered engrossed.

By consent, Engrossed House Bill No. 367. An act to legalize the official acts of the several boards of trustees of the town of Chesterfield, in Porter county, and to legalize the acts of incorporation thereof, etc.

Was taken up and read a first time without reference, and placed on the calendar.

By consent, Engrossed House Bill No. 403. A bill legalizing the incorporation of the town of Tipton, etc.

Was taken up, read a first time and referred, with a remonstrance from citizens of the town of Tipton, to the Committee on Judiciary.

Senate Bill No. 203. A bill to revise, simplify and abridge the rules, pleadings, etc., in criminal actions, etc.

Was read a second time, the report of the Committee on Judiciary concurred in, and the bill ordered engrossed.

Senate Bill No. 53. A bill to give to married women their earnings.

Was read a second time, the report of the Committee on Judiciary concurred in and the bill ordered engrossed.

Senate Bill No. 248. An act defining the duties of County and Township Assessors and County and State Boards of Equalization in certain cases and prescribing the manner and determining the value of property, etc.

Was read a second time, the report of the Committee on Finance concurred in and the bill ordered engrossed.

Senate Bill No. 262. A bill to amend sections 44 and 97 of an act entitled "An act to provide for a general system of common schools," etc.

Was read a second time, the report of the Committee on Finance concurred in and the bill ordered engrossed.

Senate Bill No. 147. A bill to authorize the purchase of toll bridges, and plank, gravel, macadamized or turnpike roads, etc.

Was read a second time and the report of the Committee on Corporations concurred in.

Mr. LaRue moved to amend the bill by adding the enacting clause.

Which was agreed to and the bill ordered engrossed.

Senate Bill No. 139. A bill to amend sections 1 and 2 of an act entitled "An act to amend the 2d section of an act entitled 'an act to amend the fifth and sixth sections of an act entitled an act to provide for the election of a reporter of the Supreme Court,' " etc.

Was read a second time.

On motion by Mr. Peed, the bill was laid on the table.

Senate Bill No. 283. A bill to authorize county commissioners to appoint Justices of the Peace when vacancies occur, etc.

Was read a second time.

Mr. Slater moved to indefinitely postpone the bill.

Which was not agreed to.

The report of the committee was concurred in and the bill ordered engrossed.

Senate Bill No. 258. A bill declaring what shall in certain cases be the basis of the assessment of taxes upon the real estate in cities and incorporated town, and prescribing the duties of Common Councils and Trustees of incorporated towns in relation thereto, etc.

Was read a second time, the report of the Committee on Corporations concurred in, and the bill ordered engrossed.

Senate Bill No. 127. An act to amend section 216 of an act entitled "An act to revise, simplify and abridge the rules, practice, pleadings," etc.

Was read a second time, the report of the Committee on Judiciary concurred in and the bill ordered engrossed.

Engrossed Senate Bill No. 242. A bill relating to interrogatories propounded by one party to another and the answers thereto, etc.

Was read a second time.

On motion, by Mr. Daggy, the bill and report was laid on the table.

Senate Bill No. 208. A bill authorizing judges of Circuit Courts to appoint master commissioners, and defining their duties, etc.

Was read a second time, the report of the Committee on Judiciary concurred in and the bill ordered engrossed.

Senate Bill No. 129. A bill for the redemption of real property sold on execution, etc.

Was read a second time, the report of the Committee on Judiciary concurred in and the bill ordered engrossed.

Senate Bill No. 321. A bill to amend sections 33, 37 and 43, and supplemental section 6 of an act to provide for a general system of common schools and for the establishment and regulation of township libraries.

Was read a second time.

The question being on concurring in the report of the Committee on Education,

Mr. Humphries moved to amend by striking out "one school for one day," and insert "that he shall not visit less than two schools per day."

Which was agreed to.

The report of the Committee concurred in and the bill ordered engrossed.

By unanimous consent, Mr. Hough, chairman, was permitted to withdraw the report of the Committee on Corporations on Senate Bill No. 39.

Senate Bill No. 305. A bill to legalize the Board of Trustees of the town of Bainbridge, Putnam county, and all official acts of said Board, etc.

Was read a second time, the report of the Committee on County and Township Business concurred in, and the bill ordered engrossed.

Senate Bill No. 336. A bill concerning sub-marine sites for light houses, etc.

Was read a second time, the report of the Committee on Federal Relations concurred in and the bill ordered engrossed.

Senate Bill No. 297. A bill to amend the 30th section of an act entitled "An act granting the citizens of the town of Evansville, in the county of Vanderburg, a city charter," etc.

Was read a second time, the report of the Committee on Corporations concurred in and the bill ordered engrossed.

Senate Bill No. 311. An act to authorize the United States to procure, by purchase or condemnation, title to lands within this State in certain cases by ceding jurisdiction over the same.

Was read a second time, the report of the Committee on Judiciary concurred in and the bill ordered engrossed.

By unanimous consent, Mr. Boone submitted the following report:

MR. PRESIDENT:

The Committee on Agriculture, to whom was referred Senate Bill No. 267, a bill relating to the international exhibition in 1876, have had the same under consideration, and a majority of said committee have directed me to report the same back to the Senate for its action, without any recommendation.

Was placed on the calendar.

On motion by Mr. Daggy, the Senate adjourned until Monday morning at 9 o'clock.

LEONIDAS SEXTON,

President of the Senate.

MONDAY MORNING,

MARCH 1, 1875—9 O'CLOCK.

In the absence of the President the Assistant Secretary called the Senate to order.

On motion by Mr. Gooding, Mr. Scott was called to the chair.

Journal of Saturday, 27th inst., read and approved.

Mr. Gooding made the following report:

MR. PRESIDENT:

Your Committee on Corporations, to whom was referred Senate Bill No. 322, a bill regulating the assessment, levy and collection of taxes by towns, for the payment of interest and principal of bonds

issued and for other purposes, and declaring an emergency, have had the same under consideration and direct me to report the same back to the Senate with the recommendation that it do pass.

Was placed on the calendar.

Mr. Gooding made the following report :

MR. PRESIDENT :

The Committee on Corporations, to whom was referred Senate Bill No. 177, a bill for the incorporation of cities, prescribing their duties, etc., have had the same under consideration and have directed me to report the same back to the Senate with the recommendation that section 65 be stricken out, and when so amended that the same do pass.

Was placed on the calendar..

SENATE BILLS ON SECOND READING.

Senate Bill No. 337. A bill to legalize the election of the officers of the town of Zionsville.

Was read a second time, the report of the Committee on Corporations concurred in, and the bill ordered engrossed.

Senate Bill No. 148. A bill to authorize appeals from the board of commissioners of the different counties of the State to the Circuit Courts, and in regard to the filing undertakings for costs, docketing causes, filing transcripts and papers, trial of causes on such appeals, and the practice in relation thereto.

Was read a second time, report of the Committee on Judiciary concurred in, and bill ordered engrossed.

Senate Bill No. 310. A bill providing for serving process upon the officers, directors, attorneys, or agents of any steamboat company.

Was read a second time, report of the Committee on Judiciary concurred in, and the bill ordered engrossed.

Senate Bill No. 324. A bill to encourage the organization of the

Indiana active militia, and making appropriations for the support thereof, supplementary to the act for the regulation and organization of the Indiana militia, approved May 11, 1861.

Was read a second time.

The question being on concurring in the majority report of the Committee on Military Affairs,

The bill and report were again placed on the calendar.

Senate Bill No. 294. A bill defining professional prostitution and prescribing penalties therefor, and prescribing certain rules of evidence in prosecution for such offence.

Was read a second time.

The question being on concurring in the report of the Committee on Rights and Privileges of the Inhabitants of the State,

Mr. Friedley of Lawrence offered the following amendment to section 4:

Any male person over the age of 15 years who shall have sexual intercourse with any female over 15 years of age, shall be deemed guilty of a felony, and upon conviction thereof shall be punished by imprisonment in the State Prison for a period not less than two nor more than ten years.

Which was agreed to.

The question recurring on concurring in the report of the committee, as amended,

The bill and reports were again placed on the calendar.

Senate Bill No. 247. A bill to provide for the repayment of certain soldiers bounties erroneously paid into the State treasury fund of estates without heirs and converted into the school fund by the State's non-negotiable bond.

Was taken up, the report of the Committee on Claims concurred in and the bill ordered engrossed.

Senate Bill No. 234. A bill to amend the 575th section of the act entitled "An act to revise, simplify and abridge the rule, practice, pleadings and forms in civil cases in the courts of this State," approved June 18, 1852.

Was read a second time, the report of the Committee on Judiciary concurred in and the bill ordered engrossed.

Senate Bill No. 145. A bill to enable and empower executors and administrators of the estates of deceased persons to enforce partitions of the real estate of such decedents in certain cases, and declaring an emergency.

Was read a second time, the report of the Committee on Judiciary concurred in and the bill ordered engrossed.

Senate Bill No. 309. A bill to amend section 48 of an act entitled "An act to repeal all general laws now in force for the incorporation of cities and to provide for the incorporation of cities, prescribing their powers and duties and the manner in which they shall exercise the same, and to regulate such other matters as properly pertain thereto," approved March 14, 1867.

Was read a second time, the report of the Committee on Corporations concurred in and the bill ordered engrossed.

Mr. Scott made the following report :

MR. PRESIDENT :

The Committee on Phraseology and Arrangement of Bills have had Senate Bills Nos. 217, 258 and 305 under consideration and a majority direct me to report the same properly engrossed.

Mr. Chapman made the following report :

MR. PRESIDENT :

Your Committee on Phraseology and Arrangement of Bills have examined Senate Bill No. 228, being an act to repeal an act authorizing the appropriation of money out of the Treasury for the use of the Indiana University at Bloomington, and found the same correct.

Also, Engrossed Senate Bill No. 182, an act to amend section 17 of an act regulating prosecutions in cases of bastardy, and providing for the support of illegitimate children, approved March 6, 1852, and found the same correct.

Senate Bill No. 79. A bill to provide for the inspection of coal or petroleum oils or burning fluids, making and branding the same, prescribing penalties, etc.

Was read a second time, the report of the Committee on Insurance concurred in and the bill ordered engrossed.

Senate Bill No. 331. A bill to amend the 135th section of an act entitled "An act to provide for a uniform assessment of property, and for the collection and return of taxes thereon," approved December 21, 1872.

Was read a second time, the report of the Committee County and Township Business concurred in and the bill ordered engrossed.

On motion of Mr. Gooding a recess of five minutes was taken to greet Hon. Will Cumback, former Lieutenant Governor of the State, who was on the floor of the Senate.

Senate again called to order.

Mr. Bell made the following report :

MR. PRESIDENT :

The Committee on Phraseology and Arrangement of Bills have had under consideration Engrossed Senate Bill No. 344, being an act to relieve from liability the sureties on the official bond of the Trustee of Clear Creek township, Monroe county, Indiana, and the bill is herewith returned with the report that the same is correctly engrossed.

Senate Bill No. 302. A bill to change the name of the Widows' and Orphans' Asylum of Indianapolis, to the Indianapolis Orphans' Asylum.

Was read a second time, the report of the Committee on Corporations concurred in and the bill ordered engrossed.

Senate Bill No. 329. A bill to amend the act to provide for the opening, vacating and change of highways, approved June 17th, 1852.

Was read a second time, report of the Committee on County and Township Business concurred in, and the bill ordered engrossed.

Senate Bill No. 353. A bill defining certain felonies, and prescribing the penalties therefor.

Was read a second time and the bill ordered engrossed.

Mr. Chapman made the following report :

MR PRESIDENT :

Your Committee on Finance, to whom was referred Senate Bill No. 340, an act providing for the purchase of additional lands for the use of the House of Refuge, have had the same under consideration and have instructed me to report the same back with the recommendation that the same do pass.

Which was concurred in.

And Senate Bill No. 340. A bill providing for the purchase of additional land for the use of the House of Refuge.

Was read a second time and placed on the calendar.

Senate Bill No. 237. A bill for the relief of persons from whom property was taken, injured, or destroyed by the United States or State troops under command of Generals Hobson, Wallace, Love and others while in pursuit of the rebel forces under John Morgan, in the year 1863, and declaring an emergency.

Was read a second time.

And the question being on the motion by Mr. Daggy, that the majority report of the Committee on Expenditures do lie on the table,

The bill and report were placed on the calendar.

Senate Bill No. 321. A bill for an act to amend sections 33, 37,

43 and supplemental section 6 of an act entitled an "Act to provide for a general system of common schools, the officers thereof and their respective powers and duties, and matters properly connected therewith, and prescribing the fees of certain officers therein named, etc.

Was taken up, report of Committee on Education concurred in and the bill ordered engrossed.

Senate Bill No. 167. A bill creating the Fortieth Judicial Circuit, fixing the time of holding courts therein, and also the time of holding the courts in the Tenth, Twelfth and Fifteenth Judicial Circuits, and providing for the appointment of a Judge and Prosecuting Attorney in the Fortieth Circuit, and declaring an emergency.

Was taken up, report of the Committee on Organization of Courts concurred in, and the bill ordered engrossed.

Senate Bill No. 238. A bill to amend sections 5 and 6 of an act entitled "An act to amend an act entitled 'an act to provide for a general system of common schools, the officers thereof and their respective powers, etc.,'" was taken up, report of Committee on Education concurred in and the bill ordered engrossed.

Mr. Scott made the following report :

MR. PRESIDENT :

The Committee on Phraseology and Arrangement of Bills have had Senate Bills No. 254 and 311 under consideration and have directed me to report the same back as properly engrossed.

By unanimous consent, Mr. Sleeth, from the Committee on Judiciary, made the following report :

MR. PRESIDENT :

The Committee on Judiciary, to whom was referred Senate Bill No. 291, a bill to compel owners of property in a city abutting on a harbor to build and maintain sea walls, have had the same under consideration and a majority of said committee have instructed me to report the same back to the Senate with a recommendation that it pass.

Which was concurred in and the bill placed on the calendar.

By unanimous consent, Mr. Friedley of Lawrence, made the following report :

MR. PRESIDENT :

Your Committee on Railroads, to whom was referred Engrossed House Bill No. 240, entitled "An act providing for the election of railroad directors of railroad companies incorporated and formed under the laws of this State so that three of the directors shall be citizens and residents of the State," have had the same under consideration and have directed me to report the same back to the Senate with the following amendments, to-wit :

Amend by striking out the word "three" in line 11, page 1, and the figure "1" in parenthesis, in line 12, page —, and insert in lieu thereof the word "4."

And when so amended recommend its passage.

Bill and report placed on the calendar.

On motion by Mr. Bunyan, House Bills on first reading were taken up.

Engrossed House Bill No. 460. A bill to amend the first section of an act entitled "An act to incorporate the Widows' and Orphans' Asylum, of Indianapolis, approved February 13, 1851, and changing the name of said corporation.

Was read a first time and placed on the calendar.

Engrossed House Bill No. 417. A bill to exempt benefits and interests of wives, children and dependents of Masonic, Odd Fellows and other charitable societies, and of mutual insurance societies from the claims of creditors, and exempting certain policies of life insurance from the claims of creditors.

Was read a first time and placed on the calendar.

Mr. Bell made the following report :

MR. PRESIDENT :

The Committee on Phraseology and Arrangement of Bills have

had under consideration Engrossed Senate Bill No. 207 and herewith return the same with the report that the same is correctly engrossed.

Engrossed House Bill No. 172. A bill to legalize dissections of human bodies.

Was read a first time and placed on the calendar.

Mr. Humphries made the following report:

MR. PRESIDENT:

The Committee on Phraseology and Arrangement of Bills have had under consideration Engrossed Senate Bill No. 42, a bill to provide for the redemption of personal property sold for taxes, and herewith return the same with the report that the bill is correctly engrossed.

Also, Engrossed Senate Bill No. 203, a bill to amend section 48 of an act entitled "An act to revise, simplify and abridge the rules, practice, pleadings and forms in criminal actions in the Courts of this State," approved June 17, 1852, and have directed me to report the same correctly engrossed.

Engrossed House Bill No. 339. A bill for the encouragement of manufacturing companies.

Was read a first time and placed on the calendar.

Engrossed House Bill No. 415. A bill amending the 2d and 3d sections of the Legislative Apportionment Act of 1873.

Was read a first time and referred to the Committee on Judiciary.

Engrossed House Bill No. 217. A bill concerning the organization of plank, macadamized and gravel road companies, the construction of their roads, and assessment of benefits for the same.

Was read a first time and referred to the Committee on Corporations.

Engrossed House Bill No. 419. A bill prescribing some of the duties of county treasurers, auditors and county commissioners, providing for semi-annual settlements of county treasurers, and fixing penalties for violation thereof.

Was read a first time and referred to the Committee on Finance.

Mr. Bell made the following report:

MR. PRESIDENT:

The Committee on Phraseology and Arrangement of Bills have had under consideration Engrossed Senate Bill No. 147, a bill to authorize the purchase of toll bridges, and plank, gravel, macadamized, and turnpike roads, by boards of county commissioners, and the same is herewith returned with the report that the bill is correctly engrossed.

Engrossed House Bill No. 294. A bill to amend the 467th section of an act entitled "An act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in the courts of this State," etc.

Was read a first time and referred to the Committee on Judiciary.

Engrossed House Bill No. 389. A bill increasing the capacity of the Indiana Hospital for the Insane, by additional buildings, creating departments therein, and declaring an emergency.

Was read a first time and referred to the Committee on Rights and Privileges of the Inhabitants of the State, with instructions to report on the same to-morrow morning.

Mr. Bell made the following report:

MR. PRESIDENT:

The Committee on Phraseology and Arrangement of Bills, have had under consideration Engrossed Senate Bill No. 127, and herewith return the same with the report that the bill is correctly engrossed.

Engrossed House Bill No. 70. An act to define bribery in certain cases and to prescribe punishment for persons bribed to vote.

Was read a first time and referred to the Committee on Elections.

Engrossed Senate Bill No. 350. A bill to amend section 19 of an act entitled "An act to provide for the opening, vacating and change of highways," approved June 17, 1852.

Was read a first time and referred to the Committee on Roads.

Engrossed House Bill No. 330. A bill to amend section 16 of an act entitled "An act providing for the election or appointment of supervisors of highways and prescribing certain of their duties and those of county and township officers in relation thereto," approved March 5, 1859.

Was read a first time and referred to the Committee on Roads.

Mr. Bell made the following report :

MR. PRESIDENT :

The Committee on Phraseology and Arrangement of Bills have had under consideration Engrossed Senate Bill No. 248, and herewith return the same with the report that it is correctly engrossed.

Engrossed House Bill No. 364. A bill supplementary to an act entitled "An act to amend section 53 of an act entitled 'an act to repeal all general laws now in force for the incorporation of cities and to provide for the incorporation of cities, and prescribing the powers and rights, etc.

Was read a first time and placed on the calendar.

Mr. Daggy, from the Committee on Phraseology and Arrangement of Bills, reported that the Committee had examined Engrossed Senate Bills Nos. 336, 262, 107 and 53 and find them correctly engrossed.

Engrossed House Bill No. 16. A bill fixing the salary of the Governor.

Was read a first time and placed on the calendar.

Engrossed House Bill No. 407. A bill to legalize the official acts of the board of trustees of the town of Spencer, Owen county, and all other officers of said corporation, under an act for the incorporation of towns, defining their powers, etc.

Was read a first time and placed on the calendar.

Engrossed House Bill No. 325. A bill concerning licenses to exhibit any caravan, circus, rope or wire dancing, legerdemain, ventriloquism, puppet shows, concert, theatrical performance or any other exhibition of whatever name or description, etc.

Was read a first time and placed on the calendar.

Engrossed House Bill No. 143. A bill appropriating money to pay the existing indebtedness of the State Normal School of Terre Haute, Indiana, and declaring an emergency.

Was read a first time and referred to the Committee on Finance.

Engrossed House Bill No. 293. An act to legalize the acts of County Commissioners in leasing, and purchasing and conveying real estate, and to authorize them to sell and convey lands heretofore conveyed to said county, and take obligations and securities therefor.

Was read a first time and referred to the Committee on Finance.

Engrossed House Bill No. 288. A bill to amend sections one and two of an act to fix the per diem and mileage of members of the General Assembly, providing that they furnish their own stationery and declaring an emergency.

Was read a first time and referred to the Committee on Fees and Salaries.

Engrossed House Bill No. 473. A bill to amend section 17 of an act entitled "An act regulating descents and the apportionment of estates," approved May 14, 1852.

Was read a first time and referred to the Committee on Judiciary.

Engrossed House Bill No. 414. A bill to provide for the speedy collection of money due the laborers for labor performed by them for their employers.

Was read a first time and referred to the Committee on Judiciary.

Engrossed House Bill No. 75. A bill supplementary to an act entitled "An act concerning partition of lands," approved May 20, 1852.

Was read a first time and referred to the Committee on Judiciary.

Mr. Givan made the following report:

MR. PRESIDENT:

The Committee on Phraseology and Arrangement of Bills, to whom was referred Engrossed Senate Bill No. 142, entitled "an act to amend section 27 of the school law, have had the same under consideration and find it correctly engrossed.

Engrossed House Bill No. 388, substituted for House Bill No. 244. An act authorizing the State Superintendent of Public Instruction to purchase libraries for the township of Clark, in Perry county; for the township of Wood, in Clark county; for the township of Penn, in St. Joseph county; and for the township of Washington, in Knox county, and making provisions for the payment thereof.

Was read a first time and referred to the Committee on County and Township Business.

Engrossed House Bill No. 355. An act to amend section 18 of an act entitled "An act concerning the partition of lands."

Was read a first time and placed on the calendar.

By unanimous consent, Mr. Scott, Chairman of the Committee on Education, was allowed to amend the report of said committee on Senate Bill No. 321.

Engrossed House Bill No. 452. A bill to amend section 1 of an act entitled "An act authorizing the Governor, Auditor and Treasurer of State to make a temporary loan," approved March 10, 1873.

Was read a first time and referred to the Committee on Finance.

Engrossed House Bill No. 338. A bill to amend section 4 of an act entitled "An act to establish a home for the maintenance of sick

and disabled Indiana soldiers and seamen, and their orphans and widows," approved March 11, 1867.

Was read a first time and referred to the Committee on Benevolent Institutions.

Engrossed House Bill No. 368. A bill providing for the incorporation of State, district and county horticultural associations, prescribing their powers, duties and privileges, and matters properly connected therewith, and declaring an emergency.

Was read a first time and placed on the calendar.

By unanimous consent Mr. Chapman made the following report:

MR. PRESIDENT:

Your Committee on Finance, to whom was referred House Bill No. 145, an act to reimburse to the county of Adams certain illegal taxes assessed and collected from Adams county, have had the same under consideration, and report the same back with the recommendation that the same do pass.

Which was concurred in.

Engrossed House Bill No. 145. A bill providing for the reimbursement to the county of Adams of certain illegal taxes assessed and collected from Adams county.

Was read a second time and placed on the calendar.

By consent, Mr. Harney made the following report:

MR. PRESIDENT:

Your Committee on Claims report that they have allowed the following claims and recommend that they be referred to the Finance Committee for incorporation into the specific appropriation bill, to-wit:

The claim of Aaron H. Hart for the refunding to him of the sum of \$50.00 paid by him to the State July 27, 1868, as purchase money for the following described swamp lands in Lake county,

Indiana: The north half of the southeast quarter of section 12, in township 36, in range 9, and southeast quarter of the southeast quarter of section 3, township 34, range 8. Said land having been patented prior to his entry.

Also, the claim of Dr. Walker for three days pay and 150 miles traveled in contesting the seat of Senator John M. LaRue, amounting to \$54.00.

The committee allowed Wm. C. Jeffries pay for forty-two day's attendance and 140 miles traveled and the costs of Justice of the Peace, Sheriff, Clerk and witness, amounting in all to \$496.40, as his expenses in contesting the seat of Senator Wm. Baxter, but the Committee refuse to allow Mr. Jeffries the sum of \$250.00 claimed by him for attorneys fees.

Was placed on the calendar.

By unanimous consent, Mr. Harney made the following report:

MR. PRESIDENT:

The Select Committee, to whom was referred Engrossed House Bill No. 6, a bill to legalize the incorporation of the town of Martinsville, and declaring an emergency, etc., have had the same under consideration, and have directed me to report the same back with the recommendation that it do pass.

Which was concurred in and the bill placed on the calendar.

By unanimous consent, Mr. Friedley of Lawrence made the following report:

MR. PRESIDENT:

The Committee on Judiciary, to whom was referred Senate Bill No. 338, being an act entitled "An act to provide for the filling of certain vacancies therein mentioned," have had the same under consideration, and a majority of said committee have directed me to report the same back to the Senate with the recommendation that the same do pass.

Which was concurred in and the bill placed on the calendar.

By unanimous consent Mr. Smith offered the following resolution :

Resolved, That the Committee on Judiciary be required to report House Bill No. 414, being an act to provide for the speedy collection of money due to laborers for labor performed by them for their employers to the Senate on to-morrow.

The question being on the adoption of the resolution,

On motion by Mr. Daggy the Senate took a recess until 2 o'clock p. m.

AFTERNOON SESSION.

Senate re-assembled.

In the absence of the President the Senate was called to order by the Assistant Secretary.

On motion by Mr. Chapman Mr. Rhodes took the chair.

Message from the Governor by his Private Secretary :

MR. PRESIDENT:

By direction of the Governor I have the honor to return Senate Bill No. 89, with a communication setting forth his objection to its becoming a law :

EXECUTIVE DEPARTMENT,

INDIANAPOLIS, March 1, 1875.

I return Senate Bill No. 90 without my signature. The title declares its purpose to be to provide for the organization of camp meeting associations and for the government and management thereof. The first section authorizes any number of persons, not less than fifteen, to associate themselves by written articles.

The articles shall give the name and location of the organization, the name and residence of each stockholder, and shall declare the mode of selecting the person who shall manage the business and financial affairs of the corporation. The object of the corporation is declared to be to hold camp meetings for religious services. The second section requires that the articles be recorded in the miscellaneous records of the county in which the association may be located and declares them amendable at the pleasure of the association.

The third section declares that the association shall be held to be a corporation from the time the articles are filed in the recorder's office, and that it shall have all the rights, powers and privileges given to corporations by common law, to sue and be sued, to acquire, hold, sell and convey such real and personal property as may be necessary and proper for its purpose and objects.

Sections four and eight authorize the company to fix the capital stock at such sum, and to divide it into such shares as it may see fit, and to designate the manner in which the same shall be held and transferred.

Section six requires that a record be kept of the proceedings of the company and provides that a certified copy thereof shall be received in evidence in court.

Section seven provides that any property, real or personal, may be bequeathed, or given to such corporations by will, deed, or devise, and in such case it shall be sufficient if the corporate name or the purpose so described as to indicate with reasonable certainty what is meant or intended by the persons willing, conveying or giving.

Section five provides that such corporation may elect such officers and agents as may be necessary to carry into operation the objects of its organization. It may prescribe and adopt rules and regulations for the direction of its officers and members, and shall have all the powers and authority given to incorporated cities in regulating, maintaining and prescribing order on their camp grounds by the selection of officers for that purpose, who shall be clothed with all the authority of like officers in incorporated cities, and the appointment of such officers by said corporation shall be their sufficient authority to act in the capacity designated, and be a sufficient protection to such officers acting in such capacity, and section nine declares that an emergency exists for the immediate taking effect of this act, and that therefore it shall be in force from and after its passage.

This bill provides the creation of corporations that are to have perpetual existence ; it fixes no limit to their duration, it reserves to the legislature no right of amendment or repeal ; at the same time it empowers them to acquire lands by purchase, and to hold them in perpetuity. The quantity which they may thus acquire and hold is limited only by the purposes and objects of their existence, and no rule or authority is prescribed by the bill to fix that limit except their own judgments.

The bill also empowers the corporations to acquire lands and personal property, by will and by gift, in like manner to be held in perpetuity, without restriction of location or limit of quantity. It has not been the policy of our State to encourage or to permit corporations thus to acquire lands without limit in quantity, and to hold them in perpetuity. It is an evil of which our race has had much experience. The wisdom derived from that experience is embedded in the many laws which forbade the acquisition of lands by corporations for religious and charitable purposes.

I submit for your thoughtful consideration, that encouragement should not be given to the making of wills in favor of corporations. The evil became so great in England as to require the interposition of Parliament. The statute that restrains it, recited as the reasons for its enactment that the public mischief had greatly increased ; that many large and improvident dispositions had been made to charitable uses by languishing and dying persons, to take place after their death, and thereby disinheriting their lawful heirs.

It is my duty to call your attention to the singular provisions in the seventh section, which is to the effect that in case of a will or deed of gift made in favor of one of the corporations, it shall be sufficient if the corporate name or purpose be so described as to indicate with reasonable certainty what is meant or intended by the party making the will or deed. If this be a correct statement of the existing and general rule of construction applicable to deeds and wills defectively executed, then it is unnecessary ; in that case it is dangerous, for it may mislead the courts.

If, on the other hand, it be not the rule which long experience has established as safe, should it be adopted in favor of corporations ? Is any corporation to be made so much a special favorite in law that a deed or will in its favor shall be declared good and valid when it would not be so if made in favor of a friend, neighbor, or relative

of the grantor or testator? The corporations to be created under the bill are not only to be clothed with the special privileges to which I have referred, but they are to be endowed with extraordinary, and, as I think, dangerous powers.

The officers are not designated in the bill, nor are their powers defined. Unlike all other acts of incorporation, the bill authorizes the companies to designate their officers or agents, and to prescribe the rules and regulations for their direction. In conferring powers upon their officers, then, corporations are restricted to the purpose of maintaining and preserving order on their camp grounds within that limit. They are clothed with all the powers of incorporated cities, and their officers are to be clothed with all the authority of like officers of incorporated cities. These provisions indicate the character of government which the corporation is to maintain, and the class of officers by whom its authority is to be asserted and preserved.

The order or ordinances will become the special law within the camp grounds, and the officers will be charged with their enforcement. That will require the exercise of executive, ministerial and judicial powers. Justices of the peace have no jurisdiction of offences against city ordinances, nor would they have jurisdiction of cases arising under the camp grounds regulations or ordinances. Parties arrested by the ministerial or police officers for violations of prescribed regulations, must be taken before some court for trial and punishment. The corporation must organize a police court.

I have found it difficult to construe the fifth section, but I think I have stated its most probable meaning. Within the limits of the camp grounds the bill provides for a government in respect to conduct like that of an incorporated city, with authority over all persons coming within that jurisdiction, with local laws to be declared by the directors, and enforced by judicial and ministerial officers, by them to be appointed. Unlike other acts for municipal corporations, this bill makes no provisions for the usual qualifications of the officers. They are not required to give bond or to take an oath for their good conduct in office, and no appeal is allowed to any party aggrieved. Upon the appointment of the officers they become clothed with the authority of city officers, but they are not city officers; they are likely to exercise their powers in the country.

If they belong to the class of township officers, then the bill should require them to reside in the township of their jurisdiction,

as required in section six, article six of the constitution. I object to the bill also because that whilst it reserves no power on the part of the Legislature to amend the charter, it clothes the organization with power to amend the articles of association from time to time, as said association may deem proper. It can not be told in advance what powers may be exercised under that provision—it is unsafe. My most serious objection to the bill is that it clothes a corporation organized for religious purposes with the authority to appoint and control officers who are to exercise civil powers.

The corporation will not be municipal alone in its character, but will also be religious or ecclesiastical in its purposes and functions. This appears, first, from the title which is an act for the organization of camp meeting associations, and providing for the government and management thereof. Second, from the 1st section, which provides that the organization is for holding camp meetings for religious services; and third, from the provisions authorizing the corporations to prescribe and adopt rules and regulations for the direction of its officers and members.

It can hardly be doubted that the organization would have the power to decide when the meetings should be held and how long they should continue, what religious society should occupy the grounds and, as a consequence, what form of worship should be adopted and what system of religious faith should be advocated.

The organization can have no purpose in society except in its relations to the church. Its only purpose is to facilitate religious services and to promote the growth, strength and development of the churches. It is inconsistent with the spirit of our institutions that such a corporation shall be endowed with civil power, that it shall be authorized to enact regulations and ordinances controlling the conduct of men and to appoint officers to administer and execute the same within any limit or territory whatever. The State can not exercise ecclesiastical powers nor can the church, or any branch thereof, either directly or through its organized instrumentalities, exercise civil or political powers. Because I think this bill violates these cherished principles of the people, I can not sign it, nor do I think such legislation expedient even were it lawful. The safety of the State and the welfare of the church unite in condemning it.

I am the less reluctant to return this bill for your further action because I feel assured that its peculiar provisions have not attracted

your attention or received your careful consideration. Our laws should amply provide for the protection of all assemblages of the people from disturbance, and I will cheerfully concur with you in making any additional provisions or any increase of police or other official force that may be necessary, but to that end it is neither necessary or expedient to disregard cherished principles. I can not believe that legislation in this form is asked or desired by any considerable number of the people, or that it is urged by the authority of any of the religious societies of the State. I also object to the bill because it declares that an emergency exists for its immediate taking effect, and therefore it shall be in force from and after its passage, when, in fact, no emergency does exist. The provisions of our Constitution which prohibits any act of the Legislature going into effect until it shall have been published and circulated in the several counties of the State, except in cases of emergency, is not arbitrary. It rests upon the obvious and just sentiment that the people should not be required to obey laws until they have an opportunity to know their provisions. What is an emergency which authorizes a law to be put in force at once and before the people have equal opportunity to avail themselves of its beneficent provisions, or avoid its prohibitions and penalties? It is not merely the quantity of excellence which makes it useful and to the advantage of the people that it be in force. That is presumed to be the quality of every law. It is presumed that you would not enact any law unless it be for the public good. The emergency contemplated by the Constitution means more than that. It is such a sudden occasion, exigency or pressing necessity that there would be some special public or private loss in case of delay. Is it really and truly your judgment that there will be some special inconvenience or loss to individuals or the public should the camp meeting corporations not be organized until the laws can be distributed to the counties within the ensuing two months?

Is it reasonable to expect that the people will change their habits and hold such meeting in the springtime, when they have heretofore held them in the summer and in the fall? With great respect, I return this bill with these my objections.

THOMAS A. HENDRICKS,

Governor.

HOUSE BILLS ON SECOND READING.

House Bill No. 88. A bill for the incorporation of towns, defining their powers, etc.

Was read a second time, the report of the Committee on Corporations concurred in, and the bill laid on the table.

Engrossed House Bill No. 275. A bill to divide the State into circuits for judicial purposes, fixing the time of holding the courts, etc.

Was read a second time and referred to the Committee on Organization of Courts.

Engrossed House Bill No. 52. A bill for the incorporation of towns, defining their powers, providing for the election of the officers thereof, etc.

Was read a second time.

On motion of Mr. Johnston of Parke, the report of the Committee on Corporations was laid on the table, and the bill placed on the calendar.

Engrossed House Bill No. 222. A bill to provide for the protection of wild game, prescribing penalties, etc.

Was read a second time.

The question being on concurring in the report of the Committee on Rights and Privileges of the Inhabitants of the State,

Mr. Scott moved to amend by inserting after the word "quail," "except by permission of the owner of the land where found.

Which was agreed to.

Mr. Smith moved to amend by including English sparrows.

Which was agreed to.

Mr. Friedley of Lawrence moved to recommit the bill with amendments to the Committee on Rights and Privileges.

Which was agreed to.

Engrossed House Bill No. 183. A bill authorizing incorporated cities to reform and change their boundary lines so as to exclude therefrom suburban lots or tracts of land, and declaring an emergency.

Was read a second time, the report of the Committee on Corporations concurred in.

Mr. Sarnighausen offered the following amendment :

Amend to add to section 1 the following words, "not duly laid off or platted by or in behalf of the owner thereof, and recorded as lots within said city, or as an addition thereto, and also any platted lot or tract of land, or part thereof, the plat whereof shall have been duly vacated according to law."

Amend section 2 by inserting after the word "sorting," in line 2, the words "duly verified."

Amend further by striking out in lines 3, 4 and 5, the words, "naming the plat in which the same is situated, and the streets by which the same is situated, and the streets by which the same is bounded, if there be any such plat or streets."

Amend further by striking out all after the word "protection," in lines 9 and 10.

Amend section 3 by striking out in line 3 the words "after duly considering such petition and remonstrance," and inserting in lieu thereof the word "then."

Add the following as section 4: "Not exclusive of any lot or tract of land from the boundary lines of any city, in pursuance of this act shall exonerate same from any city taxes or assessment heretofore legally imposed or charged thereon, but the same, unless duly paid or discharged may be collected and enforced in like manner as if this act had not been passed."

Which was agreed to.

Mr. Sleeth offered the following amendment :

Amend by adding between the word "city" and the word "shall,"

in line 3 of section 1, "and the boards of trustees of incorporated towns."

Which was agreed to.

Mr. Sleeth offered the following further amendments :

Amend in line 2 of section 3 after the word "city" add the word "town;" also, after the word "city," in line 10, same section, add the words "or town;" add the same words after the word "city," in line 13 of same section; also, at the close of section 2 add the words "or if an incorporated town in each district thereof."

Which was agreed to.

Mr. Bearss moved to amend by adding "that no lands used for farming purposes shall be annexed hereafter to said city."

Mr. Daggy moved to recommit the bill to the Committee on Corporations with the amendments and pending amendments.

Which was agreed to.

Report by Mr. Bell.

MR. PRESIDENT:

The Committee on Phraseology and Arrangement of Bills have had under consideration Engrossed Senate Bill No. 343, and herewith return the same with the report that the bill is correctly engrossed.

Engrossed House Bill No. 194. A bill to revise, simplify and abridge the rules of practice, etc., in the courts of this State.

Was read a second time, the report of the Committee on Judiciary concurred in and the bill laid on the table.

Engrossed House Bill No. 203. A bill to authorize and empower manual labor schools, etc.

Was read a second time, the report of the Committee on Rights and Privileges concurred in and the bill laid on the table.

Engrossed House Bill No. 97. A bill to revise, simplify and abridge forms in civil cases in the courts of this State, etc.

Was read a second time, the report of the Committee on Judiciary concurred in and the bill placed on the calendar.

Mr. Neff moved to take up Senate Bills on third reading.

Which was agreed to.

r. Harney moved to suspend the order of business and take up Senate Bill No. 348, a bill to authorize aid to the construction of railroads by counties and townships taking stock, etc.

Which was agreed, and the bill read a second time and the report of the Committee on Railroads concurred in.

Mr. Harney offered the following amendment to the bill :

And provided further, That the provisions of this act shall not apply to any railroad in any case when three years or more have elapsed since the tax in aid thereof shall have been placed on the tax duplicate for collection.

Which was agreed to, and the bill ordered engrossed.

Engrossed Senate Bill No. 241. A bill for the incorporation and continuance of building, loan fund and saving associations, etc.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Baxter. Beardsley, Bearss, Bowman, Cardwell, Chapman, Daggy, Dykeman, Gooding, Grove, Hackleman, Haworth, Henderson, Hendricks, Hough, LaRue, Major, Maxwell, Neff, Oliver, Roe, Sarnighausen, Scott, Skinner, Slater, Tobin, Underwood and Winterbotham—28.

Those who voted in the negative were,

Messrs. Bell, Boone, Bunyan, Cardwell, Cree, Culbertson, Friedley of Lawrence, Givan, Gooding, Harney, Humphries, Johnston of Parke, Peed and Sleeth—14.

So the bill passed.

The question being shall the title as read stand as the title of the bill.

It was so ordered.

Ordered, that the Secretary inform the House of the passage of the bill.

Message from the House by Mr. Holmes, Clerk thereof.

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed Senate House Bill No. 493. An act to secure the better treatment of the inmates of county poor houses, and said bill is herewith transmitted for the action of the Senate.

Engrossed Senate Bill No. 268: A bill to provide for public printing and binding was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bearss, Boone, Bowman, Bunyan, Chapman, Cree, Culbertson, Daggy, Dykeman, Friedley of Lawrence, Gooding, Grove, Hackleman, Harney, Haworth, Henderson, Hendricks, Hough, Johnston of Parke, LaRue, Major, Maxwell, Neff, Oliver, Roe, Sarnighausen, Scott, Skinner, Slater, Smith, Tobin, Underwood and Winterbotham—35.

Those who voted in the negative were,

Messrs. Givan and Peed—2.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Ordered, that the Secretary inform the House of the passage of the bill.

Engrossed Senate Bill No. 344. A bill for the relief of Alexander Carmichael, Christopher Whisenand, James Dodd, and others, was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Beardsley, Bearss, Bowman, Cardwell, Culbertson, Friedley of Lawrence, Gooding, Grove, Hackleman, Harney, Haworth, Henderson, Hendricks, Hough, Humphries, LaRue, Major, Maxwell, Oliver, Peed, Roe, Sarnighausen, Scott, Smith, Tobin and Winterbotham—27.

Those who voted in the negative were,

Messrs. Bell, Bunyan, Chapman, Daggy, Givan, Johnston of Parke, Neff and Underwood—8.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Ordered, that the Secretary inform the House of the passage of the bill.

Engrossed Senate Bill No. 259. A bill in regard to the conveying of public grounds and buildings upon the relocation of county seats.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bearss, Bowman, Cardwell, Chapman, Friedley of Lawrence, Givan, Gooding, Hackleman, Harney, Haworth, Henderson, Hendricks, Johnston of Parke, LaRue, Major, Maxwell, Neff, Oliver, Roe, Scott, Sleeth, Tobin, Underwood and Winterbotham—26.

Those who voted in the negative were,

Messrs. Bell, Boone, Bunyan, Cree, Culbertson, Daggy, Grove, Hough, Humphries, Peed, Rhodes, Sarnighausen and Smith—13.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Ordered, that the Secretary inform the House of the passage of the bill.

Message from the House by Mr. Holmes, Clerk thereof:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed the following resolution, to-wit:

Resolved, That the Senate be requested to return to the House Engrossed House Bill No. 118, that the same may be correctly engrossed.

Report by Mr. Bell:

MR. PRESIDENT:

The Committee on Phraseology and Arrangement of Bills reported that they have examined Senate Bill No. 297, and find it correctly engrossed.

Engrossed Senate Bill No. 228. A bill to repeal an act authorizing the appropriation of money out of the State Treasury for the use of the Indiana University, located at Bloomington, Monroe county

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Beardsley, Bearss, Bunyan, Cardwell, Chapman, Cree, Culbertson, Dykeman, Grove, Hackleman, Harney, Haworth, Henderson, Hough, Neff, Oliver, Rhodes, Roe, Sarnighausen, Skinner, Slater, Sleeth, Smith, Tobin, Underwood and Winterbotham—26.

Those who voted in the negative were,

Messrs. Baxter, Bell, Boone, Daggy, Friedley of Lawrence, Givan, Gooding, Hendricks, Humphries, Johnston of Parke, LaRue, Major, Maxwell, Peed and Scott—15.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Ordered, that the Secretary inform the House of the passage of the bill.

Message from the House by Mr. Holmes, Clerk thereof:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed the following engrossed House bills, to-wit:

No. 296. An act to amend section 205 of an act entitled "An act to provide for a uniform assessment of property and for the collection and return of taxes thereon," approved December 21, 1852.

No. 266. An act to protect the manufacturers of bottled mineral water, ale, cider, beer and ginger pop.

No. 431. An act to legalize the assessment and collection of taxes in the town of Danville, Hendricks county, Indiana, for the year 1874.

No. 491. An act to legalize the official acts of the several boards of trustees of the town of North Vernon.

No. 484. An act to legalize the subscription of \$45,000 by the city of Vincennes, Indiana, to the capital stock of the Vincennes Draw Bridge Company, and declaring an emergency.

And said bills are herewith transmitted for the action of the Senate.

Senate Bill No. 297. A bill granting to the citizens of Evansville, in the county of Vanderburg, a city charter, etc.

Was read a third time.

The question being, shall the bill pass ?

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bearss, Bell, Boone, Bowman, Bunnan, Cardwell, Chapman, Daggy, Friedley of Lawrence, Givan, Gooding, Grove, Hackleman, Haworth, Henderson, Hendricks, Hough, Humphries, Johnston of Parke, LaRue, Major, Maxwell, Neff, Oliver, Peed, Rhodes, Sarnighausen, Scott, Sleeth, Tobin and Underwood—33.

Those who voted in the negative were,

Messrs. Culbertson, Harney, Roe, Slater, and Winterbotham—5.

So the bill passed.

The question being, shall the title as read stand as the title of the bill ?

It was so ordered.

Ordered, that the Secretary inform the House of the passage of the bill.

Mr. Daggy moved that when the Senate adjourn it be until 7 o'clock p. m. this evening.

Which was not agreed to.

Engrossed Senate Bill No. 296. A bill to legalize the elections held in the years 1872, and 1873, and 1874 in the town of Knightstown, Henry county, Indiana, etc., under the act for the incorporation of towns, etc., approved June 11, 1852.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bearss, Bell, Boone, Bowman, Bunyan, Cardwell, Chapman, Culbertson, Daggy, Friedley of Lawrence, Givan, Gooding, Grove, Hackleman, Harney, Harworth, Henderson, Hendricks, Hough, Humphries, Johnson of Parke, LaRue, Major, Maxwell, Neff, Oliver, Peed, Rhodes, Roe, Sarnighausen, Scott, Tobin, Underwood, and Winterbotham—36.

Senator Slater voting in the negative.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Ordered, that the Secretary inform the House of the passage of the bill.

Mr. Johnston, of Parke, moved that the Senate do now adjourn.

Which was not agreed to.

Engrossed Senate Bill No. 124. A bill concerning common carriers of passengers, etc.

Was read a third time.

By unanimous consent, Mr. Slater moved to amend by striking out the word "nonpareil" and insert in lieu thereof the words "brevier type"

Which was agreed to.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bell, Bowman, Chapman, Cree, Culbertson, Friedley of Lawrence, Grove, Hackleman, Harney, Haworth, Henderson, Major, Oliver, Peed, Sarnighausen, Scott, Skinner, Slater, Sleeth, Tobin and Winterbotham—23.

Those who voted in the negative were,

Messrs. Bearss, Bunyan, Cardwell, Daggy, Givan, Gooding, Hendricks, Hough, Humphries, Johnston of Parke, LaRue, Maxwell, Neff, Rhodes, Roe and Underwood—16.

So the bill failed to pass for want of a constitutional majority.

On motion, by Mr. Johnston of Parke, the Senate adjourned until to-morrow morning 9 o'clock.

LEONIDAS SEXTON,

President of the Senate.

TUESDAY MORNING.**MARCH 2, 1875, 9 O'CLOCK.**

Senate assembled, President in the chair.

Journal of yesterday read and approved.

PETITIONS, MEMORIALS, REMONSTRANCES, ETC.

By Mr. Stockslager, a petition from citizens of Harrison county on the subject of temperance.

Was referred to the Committee on Temperance without reading.

Mr. LaRue made the following report :

MR. PRESIDENT :

The select committee raised to inquire into the cause of the disappearance of Senate Bill No. 343, and which was also instructed to enquire as to other bills which are missing from the files, respectfully report that they are informed that Bill No. 343 has been found, as the disappearance of this bill being the special reason for raising the committee, and as the Prison bill is the only other bill which any one would likely be interested in carrying away, and as the investigation into that bill would likely require considerable time, the committee report the fact of the finding of Bill No. 343 to the Senate, and if in the judgment of the Senate the committee should be discharged they ask that it be so ordered.

The report was concurred in and the committee discharged.

The President announced that he had signed Enrolled House Act No. 220. A bill providing for the incorporation of companies for the purpose of constructing of bridges for railway or common roadway purposes, etc.

Mr. Hough made the following report :

MR. PRESIDENT:

The Committee on Corporations, to whom was referred Senate Engrossed House Bill No. 284, entitled "A bill to provide for the incorporation of any public or private cemetery already laid out and recorded where any of the lots therein are occupied for the burial of the dead," etc., have had the same under consideration, and have directed me to report the bill back to the Senate with the recommendation that the same do lie on the table.

Was placed on the calendar.

Report by Mr. Gooding.

MR. PRESIDENT:

The Committee on Corporations, to whom was referred Senate Bill No. 289, a bill to legalize the acts of the Board of Township Trustees, have had the same under consideration and direct me to report the same back with the recommendation that the same do lie on the table for the reason that a similar House Bill is now before the Senate.

Which was concurred in and the bill laid on the table.

Mr. Hough made the following majority report:

MR. PRESIDENT:

The Committee on Corporations, to whom was referred Engrossed Senate Bill No. 39, entitled "An act repealing an act entitled 'an act authorizing the assessment of lands for plank, macadamized and gravel road purposes, and, with instructions, have had the same under consideration and have directed me to return the bill back to the Senate with the recommendation that it be amended in accordance with the instructions of the Senate as follows:

1st. By striking out all after the enacting clause and inserting in lieu thereof the following: That an act repealing an act entitled "An act to amend sections 3 and 4 of an act entitled 'an act to allow county commissioners to organize turnpike companies when

three-fifths of the persons representing the real estate within prescribed limits petition for the same, and to levy a tax for its construction, and provide for the same to be free," approved March 6, 1865, approved March 9, 1867, and all the act entitled "An act authorizing the assessment of lands for plank, macadamized and gravel road purposes, prescribing the manner of assessing and collecting the same, and repealing the laws on that subject," approved March 11, 1867, approved May 14, 1869, be and the same are hereby repealed, except section 20 of said last recited act and all other laws authorizing an assessment or collection of any tax, or assessment for the construction of any plank, macadamized or gravel road purposes in this State. *Provided, however,* That this act shall in no wise be construed to interfere with assessments heretofore collected or paid for the benefit or construction of any plank, macadamized or gravel road companies, and *provided further,* That this act shall in no wise be construed to revive the acts repealed by the act repealed by this act.

Sec. 2. There being an emergency for the immediate taking effect of this act the same shall be in force from and after its passage.

And the committee have directed me to further recommend that section 1 above set out in this report be amended by striking out all after the word "provided" and inserting in lieu thereof the following: "That this act shall not be construed to affect assessments heretofore made, when any installment thereof shall have been placed on the tax duplicate, and any part thereof collected by the Treasurer, or when any part thereof has been worked out upon the proposed road by the party so assessed, but in such cases and in all other cases where the road has been completed in whole or in part, or the assessments of benefits paid in whole or a part under the provisions of any of the acts hereby repealed, all the rights acquired are saved from the effects of this act.

And that section 2, which declares an emergency, be stricken out, and when so amended that the bill do lie upon the table.

Was placed on the calendar.

Mr. Bearss made the following minority report :

MR. PRESIDENT :

The minority of the Committee on Corporations, to whom was referred Senate Bill No. 39, entitled "An act repealing an act entitled 'an act authorizing the assessment of lands for plank, macadamized and gravel road purposes,'" with instructions, have had the same under consideration, and have directed me to ask the Senate to strike out all that part of the recommendation of the majority report after section 2, which is the emergency clause, and when so amended to recommend its passage.

Was placed on the calendar.

Mr. Underwood made the following report :

MR. PRESIDENT :

The Committee on Corporations, to whom was referred Senate Bill No. 349, entitled "An act to encourage manufactures in incorporated towns and providing that the same may be exempt from taxation by such town, have had the same under consideration and have directed me to report the same back to the Senate with the recommendation that it do lie on the table.

Which was concurred in and the bill laid on the table.

Mr. Daggy made the following report :

MR. PRESIDENT :

The Committee on Judiciary have considered Engrossed House Bill No. 473, being a bill to amend section 17 of an act entitled "An act regulating descents and the apportionment of estates," approved May 14, 1852.

Was placed on the calendar.

Mr. Daggy, made the following report :

MR. PRESIDENT :

The Committee on Judiciary, to whom was referred House Bill No. 400, entitled "A bill to legalize the assessment of taxes in certain cases," etc., respectfully report that they have had the same

under consideration, and report the same back and recommend that it be amended as follows, to wit:

Amend the title so as to read, "A bill to legalize the assessment of taxes in certain cases, providing that certain maps, plats, records and ordinances shall be admitted in evidence, providing that hereafter cities and towns may if they so determine, copy their appraisal and assessment from the County Auditor's books, and declaring an emergency.

Also, insert in the preamble, after the word "situated," in the last line, the following, to wit: "Or where the Boards of Equalization of said corporations shall have failed to set as a Board of Equalization, or when the proper officers have failed to deliver the duplicate to the proper officers, on or before the first Monday in August following such assessment."

Also, add after the word "valid," in the sixteenth line of section one, the words "notwithstanding" the information and irregularities referred to in the preamble of this act.

Was placed on the calendar.

Mr. Daggy made the following report:

MR. PRESIDENT:

The Judiciary Committee, to whom was referred Senate Bill No. 267, an act to amend section 447 of the practice act, have considered the same and recommend its passage.

Was placed on the calendar.

Mr. Bowman made the following report:

MR. PRESIDENT:

Your Committee on Finance, to whom was referred House Bill No. 419, entitled "An act prescribing some of the duties of county treasurers, auditors and county commissioners, etc., have given such bill careful consideration, and have directed me to report the same back to the Senate with a recommendation for its passage.

Was placed on the calendar.

Mr. Bunyan made the following report:

MR. PRESIDENT:

Your Committee on Roads, to whom was referred Enrolled House Bill No. 330, an act to amend section 16 of an act entitled "An act providing for the election or appointment of supervisors of highways, and prescribing certain of their duties, and those of county and township officers in relation thereto," approved March 5, 1859, have had the same under consideration, and recommend that the bill do pass.

Was placed on the calendar.

Mr. Cardwell made the following report:

MR. PRESIDENT:

Your Committee on Roads, to whom was referred Enrolled House Bill No. 350, entitled "An act to amend an act entitled 'an act to provide for the opening, vacating and change of highways,'" approved June 17, 1852, have had the same under consideration, and have instructed me to report the same back with the recommendation that the same do lie on the table.

Which was concurred in and the bill laid on the table.

Mr. Baxter made the following report:

MR. PRESIDENT:

Your Committee on Prisons return Senate Bill No. 352, a bill providing for the organization and government of the State prisons etc., and recommend its passage.

Was placed on the calendar.

Mr. Tobin made the following report:

MR. PRESIDENT:

Your committee to whom was referred Engrossed House Bill No. 206, entitled "An act to enable the owners of wet lands to drain

and reclaim them," etc., have instructed me, after careful consideration of the same, to report the same back to the Senate with amendments and when so amended recommend its passage :

Strike out of the title the words "and to repeal all laws inconsistent herewith and declaring an emergency."

Also, amend section 2 in line 8 by inserting after the word "drain" a period, and insert the words "said boards" before the word "shall" in said line 8.

Also, insert the word "and" after the word "viewers" in line 11 in said section.

Also, strike out the word "apportioned" at the end of line 15 and insert in lieu thereof the words "and shall set apart and apportion," and after the word "land" in line 16 insert the words "a share of said work in proportion to the benefits to be derived by such work."

Also, strike out all the words after the word "same" in line 19 to and to include the word "commissions" in line 20 and insert in lieu thereof the words "and the commissioners shall hear and determine said matters at their next meeting."

Also, amend section 11 as follows: Strike out all that part of said section 11 after the word "commissioners," in line 11 to and including the word "work" in line 12 of said section, and to insert after the word "same" in line 14, the following words: "Their proportionate share of said costs."

Amend section 12, line 6, by striking out the word "to," and insert in lieu thereof the word "for."

Amend section 15, line 9, by inserting after the word "water," the words "in ordinary stages."

Amend section 16, line 3, by striking out the words "and other cases."

Amend section 16, line 4, by inserting after the word "fund," the words, "of the county."

Also, strike out sections 22 and 23, and insert in lieu thereof the following section : "Section 22. The provisions of this act shall not be construed as to repeal any law of this State now in force to encourage the true construction of levees, dykes and drains, and to enable the owners of said land to drain and reclaim the same, but shall be in addition thereto."

Was placed on the calendar.

Report by Mr. Friedley of Lawrence :

MR. PRESIDENT ;

Your Committee on Judiciary, to whom was referred Senate Bill No. 266, an act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in the courts of this State, etc., have had the same under consideration, and a majority thereof have instructed me to report the same back to the Senate with the recommendation that it be laid on the table.

Was concurred in and the bill laid on the table.

Mr. Grove introduced

Senate Bill No. 354. A bill to empower the board of trustees of incorporated towns to pass and enforce ordinances to regulate or prohibit the running at large of animals, etc.

Was read a first time and referred to the Committee on Roads.

The appointment by the Governor of John T. Scott as Trustee of the Indiana State Normal School, to succeed Richard W. Thompson, was unanimously confirmed by the Senate.

By consent, Mr. Ringo introduced

Senate Bill No. 355. A bill to amend an act entitled "An act to amend section 5 of an act entitled 'an act to prohibit the collection of tolls on gravel, turnpike, macadamized and plank roads, in certain cases, and to provide the mode of declaring charters of such roads forfeited,' " etc., approved February 25, 1875.

Was read a first time and referred to the Committee on Judiciary.

By consent, Mr. Stockslager introduced

Senate Bill No. 356. A bill prescribing the number and defining the powers and duties of constables.

Which was read a first time and referred to the Committee on Rights and Privileges of the Inhabitants of the State.

Mr. Sleeth made the following report :

MR. PRESIDENT :

Your Committee on Judiciary, to whom was referred Engrossed House Bill No. 86, an act to abolish the Twenty-seventh Judicial Circuit, and the Criminal Circuit Courts therein, have had the same under consideration, and a majority of the committee have instructed me to report the same back to the Senate with their opinion that the bill is correct and without recommendation on the part of the committee, and the petitions, certificate and letters in relation to the same referred to said committee are herewith also returned to the Senate.

Was placed on the calendar.

Mr. Harney made the following report :

MR. PRESIDENT :

Your Committee on Finance, to whom was referred House Bill No. 293, entitled "An act to legalize the acts of County Commissioners in loaning and purchasing and conveying real estate, and to authorize them to sell and convey lands heretofore conveyed to said county and take obligations and securities therefor have given such bill careful consideration, and have directed me to report the same back to the Senate with the recommendation that it lie upon the table.

Was placed on the calendar.

Mr. Chapman made the following report : .

MR. PRESIDENT :

Your Committee on Finance, to whom was referred Engrossed

House Bill No. 143, entitled "An act appropriating money to pay the existing indebtedness of the State Normal School at Terre Haute, Indiana, and declaring an emergency," have given such bill careful consideration, and have directed me to report the same back to the Senate with a recommendation that it lie upon the table for the reason that the trustees of the Normal School were not authorized by the Legislature to incur such indebtedness at the expense of the State.

Was placed on the calendar.

By consent, Mr. Johnston of Parke introduced

Senate Bill No. 357. A bill limiting the amount of recovery of judgments for attorneys fees in certain cases, and requiring proof that the amount of attorneys fees demanded is necessary for the procurement of counsel.

Was read a first time and referred to the Committee on Judiciary.

Mr. Sleeth made the following report:

MR. PRESIDENT:

The Committee on Judiciary, to whom was referred the concurrent resolution of the House of Representatives providing for a joint convention to elect one trustee for the Blind Asylum, have had the same under consideration, and have instructed me to report back to the Senate that in the opinion of your committee the law as provided in an act to provide for the election of such trustees, approved March 5, 1859, (vide 1st G. & H., p. 159), clearly requires the officer named in said resolution to be elected by the concurrent votes of the two Houses and not in joint convention, we therefore return the resolution without further recommendation.

Report of Committee was concurred in.

The question being on the adoption of the concurrent resolution,

It was not agreed to.

Mr. Scott made the following report:

MR. PRESIDENT:

The Committee on Phraseology and Arrangement of Bills have had Senate Bills Nos. 250 and 329 under advisement and find the same correctly engrossed.

Mr. Rhodes moved to reconsider the vote whereby Senate Bill No. 228 was passed.

Pending the motion, the Governor's message of veto of Senate Bill No. 89 was taken up and read.

The question being, shall the bill pass notwithstanding the Governor's veto?

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bearss, Bunyan, Cardwell, Chapman, Daggy, Davidson, Friedley of Lawrence, Gooding, Hackleman, Haworth, Henderson, Hough, Johnston of Parke, LaRue, Major, Maxwell, Neff, Oliver, Rhodes, Ringo, Roe, Scott, Sleeth, Tobin and Underwood—27.

Those who voted in the negative were,

Messrs. Bell, Boone, Bowman, Culbertson, Givan, Grove, Harney, Hendricks, Humphries, Peed, Sarnighausen, Skinner, Slater, Smith, Stockslager, Wilson and Winterbotham—17.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Ordered, that the Secretary inform the House of the passage of the bill.

Leave of absence was granted Mr. Thompson on account of sickness.

The hour of 10:30 o'clock having arrived, it being the hour for the consideration of the special order being Senate Bill No. 202, a bill to authorize and provide for the building of a new State House.

Was taken up and on motion of Mr. Scott read by sections.

First section read.

Mr. Scott offered the following amendment:

Amend line one, section one, by inserting after the word "that" the following: "Whenever an appropriation shall be made or a tax shall be levied for the purpose of erecting a new State House in accordance with the provisions of this act."

Mr. Givan moved that the bill and amendment be indefinitely postponed.

Messrs. Smith and Givan demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Bearss, Bowman, Bunyan, Cardwell, Cree, Culbertson, Daggy, Davidson, Givan, Grove, Harney, Hough, Humphries, Johnston of Parke, Major, Peed, Ringo, Sarnighausen, Skinner, Tobin, Wilson, Winterbotham and Mr. President—23.

Those who voted in the negative were,

Messrs. Baxter, Beardsley, Bell, Boone, Chapman, Friedley of Lawrence, Gooding, Hackleman, Haworth, Henderson, Hendricks, LaRue, Maxwell, Neff, Oliver, Roe, Scott, Slater, Sleeth, Smith, Stockslager and Underwood—22.

So the bill and amendment was indefinitely postponed.

Mr. Daggy reported that the Committee on Phraseology and Arrangement of Bills have examined Senate Bill No. 229, and find the same correctly engrossed.

Message from the House by Mr. Holmes, Clerk thereof:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed Engrossed House Bill No. 392, "An act relating to common schools, providing for the selection of teachers, distributing the school fund, the manner of determining what branches shall be taught in said common schools, and defining who shall be legal voters in school districts," and said bill is herewith transmitted for the action of the Senate.

Mr. Skinner moved to suspend the order of business and take up House Bill No. 367.

Which was not agreed to.

On motion, by Mr. Hough, Senate Bills on third reading were taken up.

BILLS ON THIRD READING.

Engrossed Senate Bill No. 287. An act to amend sections 1 and 4 of an act supplementary and amendatory to an act entitled "An act to provide for a uniform assessment of property and for the collection and return of taxes thereon," approved December 21, 1872, etc.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bell, Boone, Bowman, Banyan, Cardwell, Chapman, Cree, Culbertson, Daggy, Davidson, Friedley of Lawrence, Givan, Grove, Hackleman, Harney, Haworth, Henderson, Hendricks, Hough, Humphries, LaRue, Major, Maxwell, Neff, Oliver, Rhodes, Ringo, Roe, Sarnighausen, Scott, Skinner, Slater, Smith, Stockslager, Tobin, Underwood, Wilson and Winterbotham
—40.

Senators Bearss and Johnston of Parke, voting in the negative.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Ordered, that the Secretary inform the House of the passage of the bill.

Engrossed Senate Bill No. 305. A bill to legalize the board of trustees of the town of Bainbridge, Putnam county, and all official acts of said board done in pursuance of an act for the incorporation of towns, defining their powers, providing for election of officers thereof, and declaring their duties, approved June 11, 1852.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bearss, Bell, Boone, Bowman, Bunnan, Cardwell, Chapman, Cree, Culbertson, Daggy, Davidson, Friedley of Lawrence, Givan, Gooding, Hackleman, Haworth, Henderson, Hendricks, Hough, Humphries, Johnston of Parke, LaRue, Major, Maxwell, Neff, Peed, Rhodes, Ringo, Roe, Sarnighausen, Scott, Skinner, Slater, Stockslager, Tobin, Underwood, Wilson and Winterbotham—41.

No Senator voting in the negative.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Ordered, that the Secretary inform the House of the passage of bill.

Engrossed Senate Bill No. 335. A bill to amend section 269 of an act entitled "An act to provide for a uniform assessment of property and for the collection and return of taxes thereon," approved December 21, 1872.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bearss, Bell, Boone, Bowman, Bunyan, Cardwell, Chapman, Cree, Culbertson, Daggy, Davidson, Givan, Gooding, Grove, Hackleman, Harney, Haworth, Henderson, Hough, Humphries, Johnston of Parke, Maxwell, Oliver, Peed, Ringo, Roe, Sarnighausen, Scott, Slater, Smith, Stockslager, Tobin, Underwood, Wilson and Winterbotham—37.

Senator LaRue, voting in the negative.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Ordered, That the Secretary inform the House of the passage of the bill.

By consent, Mr. Johnston of Parke, from the Select Committee on the Prison North, made the following report:

MR. PRESIDENT:

The Special Committee appointed to investigate the condition and the affairs of the Northern Prison, with the view of ascertaining whether there has been any speculation, fraud or mismanagement, or cruel or inhuman treatment of prisoners in that institution, respectfully submit the following report:

Owing to the fact that serious charges have been made in the newspapers relative to the management of that prison, your Committee felt it their duty to investigate in detail, as far as practicable,

the various departments of the prison, that they might more fully and properly reach the conclusion herein given. Their investigations may be divided under the following heads :

1st. Whether the State receives pay from the contractors for all the convicts' labor employed by them ?

2d. Whether any convicts' labor was employed by the Warden or other officials upon any kind of work, for which the State has not received proper compensation ?

3d. Whether the Warden had purchased all the supplies, and made all of the expenditures of moneys charged for in his report for 1874 ?

4th. Whether the prisoners received credit for the full amount of their over-work, and whether the money paid by them for the purchase of extra supplies for the State had been properly accounted for ?

5th. Whether all of the supplies purchased for the prison were expended for the purposes for which they were purchased ?

6th. Whether any cruel, inhuman or unusual punishments had been inflicted upon prisoners, or whether the convicts are over-worked ?

In order to answer the first inquiry your committee took the month of October, 1874, when fifty-eight convicts were reported as unemployed, and in which month Ford, Johnson & Co. built the new shop building at the contract price of \$4,300. In order to reach the facts we took the time books kept by the guards for the State, and the time books kept by the foreman for the contractors for the same month and compared their reports of the time. We found that the guards had reported four days more time against J. H. Winterbotham & Sons than their foreman had reported. These time books were then compared with the general time book kept by the Prison Clerk, where we found that the reports had been accepted as correct under the rulings of the Warden and paid for under protest by the contractors. We found by taking the names of the convicts employed by each contractor, as reported on the time books that the following number of men were worked under contracts and paid for at contract price for that month :

J. H. WINTERBOTHAM & SONS.

Shop No. 1	45 men.
Shop No. 2.....	53 men.
Shop No. 3.....	25 men.
Shop No. 4.....	40 men.

Total during the month.....	163 men.
Discharged.....	5 men.

Number at end of month.....	158 men.
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FORD, JOHNSON & CO.

Shop No. 1.....	41 men.
Shop No. 2.....	46 men.
Shop No. 3.....	36 men.
Shop No. 4.....	44 men.
Shop No. 5.....	19 men.

Total during the month	186 men.
Discharged.....	5 men.

Number at end of month.....	181 men.
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KUMBLER & MELCHER.

Number on contract	25 men.
Supernumeraries.....	3 men.

Total.....	28 men.
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Total accounted for as employed on contracts regular.....	367 men.
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Supernumeraries employed by Ford & Johnson at contract prices	5 men.
Supernumeraries by Myers & Co.....	7 men.

Grand total on contracts and all work for contractors..	379 men.
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Number not employed on contracts..... 58 men.

Which were employed as follows:

In prison duties..... 24 men.

Idle in cells or not at chores..... 27 men.

Total 58 men.

Grand total accounted for..... 437 men.

Number in prison October 31..... 437 men.

The number reported as idle were examined personally as to whether they were employed on any contract work during the time, and replied that they were not. Those results were reached by following each convict through the books by name and therefore fully answered the second inquiry.

Question number three we examined by taking the Warden's itemized bills of purchases or with his vouchers for all goods purchased away from Michigan City. We found his receipted freight bills from the railways, over which the goods had been shipped, showing in detail the articles shipped. Those corroborated the charges exactly. We also found, by subsequent calculations, that the quantities necessary for the prisoners also proved the correctness of the vouchers.

The fourth point we examined in detail as follows: The time books show the overwork done by each man as well as the amount paid for the same. We calculated the rate in many individual cases and found that every credit for overwork was entered there in separate accounts with each prisoner. All supplies are sold to prisoners by the Steward who keeps an itemized account of articles, while opposite each name in each month is entered the balance due the prisoner from overwork or any other source. This account is open to the prisoner and amounts to a monthly settlement; at the same time it shows the Steward what prisoners are entitled to credit. The Steward's journal showed that that official had made an error in addition against himself and in favor of the State of \$2.14. By comparing his journal with his report of items to the Prison Clerk it was found that they corresponded in every detail except that the Clerk had made the additions correctly. The evidence is therefore clear that every prisoner gets all the overwork credits he is entitled to and that the overwork amounts to one-fifth as much as is paid upon labor contracts, and also that the State receives every dollar which comes into the hands of officials from sales of extra supplies to prisoners.

The question as to whether all the supplies purchased for the prison have been issued to prisoners was one which could be answered only in the following manner: We were compelled to take all of the supplies of provisions purchased during the fiscal year ending December 15, 1874, and reduce them to rations upon the basis of whole rations of these articles as established by the United States and laid down in the army regulations. The entire number of rations charged as purchased, and which were purchased as before stated during the fiscal year, were as follows:

	Rations.
Meats, salt and fresh.....	117,635
Flour, meal and corn crackers.....	183,263
Potatoes, apples, turnips, etc.....	3,010,119
Average daily rations required per year.....	150,015

Other supplies fell short about twenty per cent. It will be seen that after making an allowance for wastage of five per cent. that the prisoners received a ration and one-fifth of food per day, or more than twice the quantity issued during field service in the late war to the troops. Of the character of the food we will notice elsewhere, but we must say that the supply and quantity which we saw on the tables were good and in abundance and certainly sufficient to fully supply and gratify the appetite of the prisoners. We found the quantity which ought to be on hand to be a little under the quantity actually on hand, but gains in issue would account for that. In our examination in regard to treatment of prisoners we extended our inquiries so as to include the character and quality of the food issued. We found the prisoners complained that they received an over portion of salt meat, and that on one occasion they found spoiled meat on their tables and that until quite recently they had received wheat bread only three days in each week. By an examination of the warden's report it will be seen that he purchased during the year a greater quantity of salt than fresh meats, consequently he issued just what he had.

It was found that on one occasion spoiled salt meat was cooked and placed upon the tables before its character was discovered. The lot from which it was taken was at once shipped back to the person from whom it was purchased at Chicago, and good meat supplied in its place. During the last five weeks wheat bread has been issued daily, because the grade of flour used makes it as cheap as corn bread.

Your Committee think, however, that the complaints are fully answered in the sanitary condition of the prison.

The death rate, which is the basis of life insurance calculation, is thirteen to one thousand. The two deaths which occurred during the past year were from causes not in any way resulting from prison treatment. The excellent results following the strict and careful medical attention given the inmates of the prison is a matter of public congratulation.

Upon the question of punishment inflicted, our examinations were quite extended. We examined under oath forty-seven convicts, separate and apart from the prison officials or other persons, in order that they might be under no restraint in making their statement. The case of Lewis Armstrong, which had gained considerable notoriety in the newspapers, we examined in detail. We called him before us and reduced his testimony to writing. In it he said he had never done any manual labor, that he did not want to learn a trade, and that he could not learn how to make a barrel. He said he had been called into the office by the Deputy Warden twenty times during a period of three months, before any punishment was inflicted, and that each time he was called in the deputy reasoned with and urged him to try to do his work, and told him on each occasion that he must do his work or be punished.

He further said he had been twice punished, once with three and the other time with four lashes. The committee caused him to remove his shirt and show his bare back. A careful examination failed to show that the skin on his back had ever been broken. His fellow convicts also testified to these facts. The convict, Mahlon Woods, with whom Armstrong worked, testified that Armstrong told him that he had never worked, and never intended to. The Prison Record of punishment shows that on the 26th day of October, 1874, Armstrong received four lashes for refusing to work, and that on the 29th of November he received three lashes for still refusing to work. This convict testified that he was in the cell with Armstrong, who told him that he would not learn a trade, that he was a gentleman and a merchant. The guard and foreman in the shop testified to similar expressions on the part of Armstrong. The committee made inquiries of every prisoner examined by them in regard to the standing in the prison of one Hiram Lindley, and the answers were uniformly that his standing and general reputation among them was bad. The killing of the convict Simpson by

Deputy Warden Manning was made the subject of careful inquiry. We found that Simpson was near the end of his sentence, and being an escaped life convict from Sing Sing, he was told by a fellow prisoner that the Deputy would send him back there when his term expired. This enraged, or rather made him insane, and he declared he would kill the Deputy, picking up his cooper broad ax he rushed out of the shop and into the prison office.

The guard gave the alarm but before any one could get near him he was in the office. Mr. St. John, a member of the Board of Directors, was present with Manning and struck the convict with a chair while the Deputy drew his pistol and ordered Simpson to leave the office or he would shoot him. Simpson only answered: "You have betrayed me and I will kill you." Finding he must fight to save his life he did so firing three times before the man fell, and when he did fall he threw the ax, narrowly missing the Deputy. The killing was justifiable in self defense and was that act against an insane man. The prisoner had never been punished or even reprimanded while in the prison and was regarded as a reasonably good man.

In the case of Renster who was reported to have been brutally whipped and chained to the wash house, your committee find that he has periodical attacks of insanity, that when the first one appeared after his imprisonment he rushed from his cell and, knocking down a fellow convict who was in the gallery, picked up a stool and attacked the guard in an insane manner. The guard gave the alarm and he was secured without violence and locked in his cell. The spell or attack lasted several days, and as the prisoner by his shouting disturbed the other inmates of the cell house, he was removed to the wash house, the only place where he could be confined, and in this no more force was used than was necessary to restrain the man.

He has never been punished or even reprimanded since he has been in prison, and is a favorite with the contractors and officials, and the guard has instructions to relieve him from duty whenever he feels unwell.

In the case of Williams it was found that he feigned insanity, and although the physicians reported him of sound mind, he too was confined in the washhouse, because his continued shoutings kept the cell-house in an uproar. He was chained, but broke every chain that was put on him, and one night escaped over the wall. He was recaptured, and upon his return the deputy informed him

that he must go to work or he would be punished. He was then taken to the shop and refused to work. The guard heard another prisoner say to him, "Keep on playing it and you will make it." He was taken back to the office and given twelve lashes, after which he went to work and never lost a day, or received even a reprimand during the eight months which remained of his sentence. This was the severest punishment ever inflicted on a convict in the prison, under Manning's orders, or during his term of office. The instrument used is a light leather whip-stock, twenty-three inches in length, with four cords or lashes attached; two of these are woven thread, the kind of cord used for raising and lowering window curtains, while the other two are of ordinary twine; they are all bound with thread at the ends to keep them from unwinding.

The common testimony of the prisoners was that they would rather be whipped than to be confined in a dark cell, or tied up in any way. As long as no other punishments are inflicted in the prison we are compelled to say that we regard the kind inflicted in the Northern Prison the mildest class of whipping punishment.

Ford Johnson & Co., and other contractors met your committee and made complaint that the State does not carry out the letter or the spirit of the contracts with them. They claim (and truthfully) that the law allowing the warden to regulate the quantity of work to be done by prisoners was repealed by section 7 of the act of March 11, 1861, and that in the face of this law they are still paying for overwork; that warden works the men but eight hours per day instead of ten, and that under this system the amount paid to some of the prisoners amounts to more than the State receives for the labor of the same men. The highest sum paid by J. H. Winterbotham & Sons for overwork to one man in October last was \$26.15, while the State received but \$16.20, and gave him board and clothes. The contractors still continue paying the overwork as a gratuity to prisoners. Winterbotham & Sons have contracted for over one hundred men since the repeal of the overwork law, yet these men that are paid for overwork at the rate of \$1.10 per day—the system of working by the piece providing more than by working by the day. After careful inquiry into their acts and in view of the fact that they are managing the only prison in the United States, which is not carried on at less expense, we feel compelled to recommend to the board of directors the retention

in office of the present Warden, Mr. Mayne; the Deputy, Mr. Manning; the surgeon, Dr. Banrick; and Bookkeeper, Mr. Bowas.

All of which is respectfully submitted unanimously.

JAMES T. JOHNSTON,

J. G. HARNEY,

P. CARDWELL,

Committee.

Which was concurred in.

Mr. Givan moved that Engrossed House Bill No. 118, a bill to regulate and license the sale of spiritous liquors, etc., be returned to the House in accordance with the request of that body.

Which was agreed to.

Engrossed Senate Bill No. 107. A bill to amend section 6 of an act entitled "An act regulating the granting of divorces, nullification of marriages and decrees and orders of courts incident thereto, and repealing all laws," etc., and declaring an emergency.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Beardsley, Bell, Chapman, Cree, Daggy, Davidson, Friedley of Lawrence, Givan, Hackleman, Harney, Henderson, Hendricks, Johnston of Parke, LaRue, Rhodes, Roe, Scott, Slater, Smith, Stockslager, Tobin, Wilson and Winterbotham—23.

Those who voted in the negative were,

Messrs. Baxter, Bearss, Boone, Bowman, Bunyan, Cardwell, Culbertson, Grove, Haworth, Hough, Humphries, Major, Maxwell, Ringo, Sarnighausen and Underwood—16.

So the bill failed to pass for want of a constitutional majority.

The following report on Phraseology and Arrangement of Bills was made by Mr. Humphries:

MR. PRESIDENT:

The Committee on Phraseology and Arrangement of Bills have had under consideration Engrossed Senate Bills Nos. 208 and 238 and herewith return the same with the report that the bills are correctly engrossed.

By Mr. Givan.

MR. PRESIDENT:

The Committee on Phraseology and Arrangement of Bills, to whom was referred Engrossed Senate Bill No. 283, have had the same under consideration and find the same correctly engrossed.

By Mr. Givan.

MR. PRESIDENT:

The Committee on Phraseology and Arrangement of Bills, to whom was referred Engrossed Senate Bill No. 310, have examined the same and find it correctly engrossed.

By Mr. Bell.

MR. PRESIDENT:

The Committee on Phraseology and Arrangement of Bills have had under consideration Engrossed Senate Bills Nos. 337, 167 and 145 and herewith return the same with the report that the bills are correctly engrossed.

By Mr. Bell.

MR. PRESIDENT:

The Committee on Phraseology and Arrangement of Bills have had under consideration Engrossed Senate Bill No 358, and

herewith return the same with the report that the bill is correctly engrossed.

By Mr. Bell.

MR. PRESIDENT:

The Committee on Phraseology and Arrangement of Bills have had under consideration Engrossed Senate Bill No. 353, and herewith return the same with the report that the bill is correctly engrossed.

By Mr. Scott.

MR. PRESIDENT:

The Committee on the Arrangement and Phraseology of Bills have had Senate Bill No. 321 under consideration and have directed me to report the same back to the Senate as properly engrossed.

By Mr. Bell.

The Committee on Phraseology and Arrangement of Bills, have had under consideration Engrossed Senate Bills Nos. 30, 171, and 234, and herewith return the same with the report that the bills are correctly engrossed.

Senate Bill No. 256. A bill to enforce the collection of delinquent taxes by judicial proceedings.

Was read a third time.

The question being, shall the bill pass?

Pending which, on motion by Mr. Friedley of Lawrence, the Senate took a recess until 2 o'clock, p. m.

AFTERNOON SESSION.

Senate re-assembled, President in the chair.

The pending question on taking a recess being

Senate Bill No. 256. A bill to enforce the collection of delinquent taxes by judicial proceedings.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Bell, Grove, Henderson, LaRue, Sarnighausen and Wilson—6.

Those who voted in the negative were,

Messrs. Beardsley, Bearss, Boone, Bowman, Bunyan, Cardwell, Culbertson, Daggy, Davidson, Givan, Gooding, Hackleman, Harney, Haworth, Hendricks, Hough, Humphries, Johnston of Parke, Major, Maxwell, Neff, Peed, Rhodes, Ringo, Roe, Scott, Skinner, Smith, Stockslager, Tobin, Underwood and Winterbotham—32.

So the bill failed to pass.

Report by Mr. Bell:

MR. PRESIDENT:

The Committee on Phraseology and Arrangement of Bills have had under consideration Engrossed Senate Bill No. 129, and herewith return the same with the report that the bill is correctly engrossed.

Message from the House by Mr. Holmes Clerk thereof:

MR. PRESIDENT:

I am directed by the Speaker of the House to inform the Senate

that the House has passed the following Engrossed House Bills, to-wit:

No. 310, an act to legalize bonds and other obligations issued by cities in aid of the construction of court houses within their limits.

No. 402. An act to enable married women whose husbands are insane or of unsound mind to convey real estate belonging to such married women.

No. 343. An act to amend section 3 of an act to authorize cities and towns to negotiate and sell bonds to raise money to erect and complete unfinished school buildings, etc.

No. 401. An act to prevent political or municipal corporations from creating indebtedness in any amount not exceeding five per cent. of the amount of the taxable property within such corporation.

No. 492. An act to raise revenue for State and school purposes, and one additional hospital for the insane, for the years 1875 and 1876.

And said bills are herewith transmitted for the action of the Senate.

Senate Bill No. 348, a bill to authorize aid to the construction of railroads by counties and townships taking stock, etc.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Beardsley, Boone, Chapman, Cree, Culbertson, Daggy, Davidson, Gooding, Hackleman, Harney, Hendricks, Humphries, Johnston of Parke, Rhodes, Ringo, Scott, Stockslager, Tobin, Wilson and Winterbotham—20.

Those who voted in the negative were,

Messrs. Baxter, Bearss, Bell, Bowman, Bunyan, Cardwell, Givan, Grove, Haworth, Henderson, Hough, LaRue, Major, Maxwell, Neff, Roe, Sarnighausen, Skinner, Slater, Smith and Winterbotham—21.

So the bill failed to pass.

Engrossed Senate Bill No. 101. A bill empowering the Auditor of State to correct errors heretofore made by that officer in selling and conveying lands forfeited to the sinking fund, etc.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bearss, Bell, Boone, Bowman, Bunyan, Cardwell, Chapman, Cree, Culbertson, Daggy, Davidson, Givan, Gooding, Grove, Hackleman, Haworth, Henderson, Hendricks, Hough, Humphries, Johnston of Parke, LaRue, Major, Maxwell, Neff, Rhodes, Ringo, Roe, Sarnighausen, Scott, Skinner, Smith, Stockslager, Tobin, Underwood, Wilson and Winterbotham—39.

Those voting in the negative were,

Messrs. Harney and Slater—2.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Ordered, that the Secretary inform the House of the passage of the bill?

Engrossed Senate Bill No. 250. A bill providing for the incorporation of State, district, subordinate, county and other granges of the order of the Patrons of Husbandry, etc.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bearss, Bell, Boone, Bowman, Bunnan, Cardwell, Chapman, Cree, Culbertson, Daggy, Davidson, Friedley of Lawrence, Givan, Gooding, Grove, Hackleman, Harney, Haworth, Henderson, Hendricks, Hough, Humphries, Johnston of Parke, LaRue, Major, Maxwell, Neff, Rhodes, Ringo, Sarnighausen, Scott, Skinner, Slater, Sleeth, Smith, Stockslager, Tobin, Underwood, Wilson and Winterbotham—43.

No Senator voting in the negative.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

Mr. Scott offered the following as a substitute.

“An act to provide for the incorporation of State, district, county, subordinate and individual associations of the Order of Patrons of Husbandry, and matters properly connected therewith, and declaring an emergency.”

Which was agreed to.

The substitute for the original title was then agreed to.

Ordered, that the Secretary inform the House of the passage of the bill.

By consent Mr. Gooding made the following report:

MR. PRESIDENT:

The Committee on Rights and Privileges of the Inhabitants of the State, to whom Engrossed House Bill No. 389, A bill increasing

the capacity of the Indiana Hospital for the Insane, by additional buildings, etc., have had the same under consideration and direct me to report the same back with the recommendation as follows :

That the Governor shall appoint during the present session of the General Assembly five Commissioners of diverse politics, who are hereby constituted a board of commissioners to superintend the location, letting and construction of the Asylums for the Insane: One north of the south line of the counties of Warren, Tippecanoe, Clinton, Tipton, Grant, Blackford and Jay; and one south of the north line of the counties of Sullivan, Owen, Clay, Monroe, Brown, Bartholomew, Decatur and Franklin. Said Commissioners shall hold their office for the period of two years and until their successors are appointed and qualified.

Sec. 2. It shall be the duty of said board of commissioners after a careful examination, to select in parts of the State hereinafter mentioned suitable sites for the location of two Asylums for the Insane, which selections when made, shall be reported to the Governor for his approval, and when approved by him shall be the places at which said asylums shall be located and erected. But if disapproved by the Governor said board shall, without further delay or examination select another site or sites until the said board and Governor shall agree on the places for the location and erection of said asylums; *Provided*, That the said commissioners shall investigate the propriety and feasibility looking both to the question of economy and the interest and health of the insane, of converting the Soldiers' and Sailors' Home into an Insane Asylum.

Sec. 3. When the places for the location of said asylums shall have been agreed upon the said board of commissioners shall without delay contract for the purchase of not exceeding one hundred and sixty acres of land, and not less than one nor more than two miles from the corporation limits of said cities respectfully at each location, which they shall purchase to be deeded to the State of Indiana, or they may receive donations of a sufficient amount of land not exceeding one hundred and sixty acres at either place of location on which to build said asylum. Said land to be deeded to the State of Indiana, and may also receive donations to aid in building either of said asylums, and shall, therefore, advertise for proposals for the erection of said asylum upon such plan embracing

offices and such other necessary buildings and fixtures as may be required to complete the establishment, the accommodation of the necessary officers' attendants and five hundred insane patients at each of said asylums and the safe keeping thereof in not exceeding three newspapers, two of which shall be published in the vicinity of the location of such asylums and the other such as may be best calculated to call out competition in bids for the same, or if deemed best by said board they may advertise and let portions of said edifice and buildings to different parties.

Sec. 4. At the time appointed in said advertisement for the examination of the bids for said work, the said board shall meet at the City of Indianapolis, and they, together with the Governor, shall examine the bids and award the contract to the lowest responsible bidder, or they may award portions of said work to such bidders if they shall deem it proper so to do, and upon the letting or lettings as aforesaid, a contract or contracts shall be entered into by the contractor or contractors with the said board in a penalty double the amount of contract price for the work to be performed, with good and ample securities, conditional for the honest and faithful performance of the work specified in the contract, under the superintendence hereinafter named, and the contract so made shall be filed and carefully preserved in the office of the Secretary of State; *Provided*, That neither of the Commissioners of the present Hospital for the Insane, the superintendent nor any of the officers or attendants, agent or employee thereof, or person connected therewith in any wise, nor any officers named herein, nor any relative of theirs or their wives, nor either of the commissioners hereafter to be appointed by any provisions of this act, should contract for any portion of the work herein provided for, or have any interest, directly or indirectly, therein.

Sec. 5. When the work is so let the board of commissioners aforesaid shall make out a written statement, under oath, setting forth the number of bids presented, the name of each bidder, the nature and amount of his bid, and the action of said board thereon, and shall state that neither of said commissioners has received any bonus or gratuity of any nature or kind, or the promise thereof, in connection with or having reference to said lettings of said contract or contracts, and that they are not in any way interested in the proposal received or the contract made, and such statement, with the

proposal of bids, shall be filed with and kept by the Secretary of State.

Sec. 6. A competent and skillful person shall be selected by said board, with the approval of the Governor, for each of said asylums, who shall remain on the asylum grounds and superintend the erection of said buildings, and see that the work is well and faithfully done according to contract, and shall make monthly estimates of the work done, under oath, which estimates, when approved by said board, shall be filed with the Auditor of State, who shall draw his warrant upon the Treasurer of State for the amount of said estimates, less ten per centum thereon, which amount of ten per centum shall remain unpaid until the work is fully completed and accepted by said board, when the Auditor shall draw his warrant therefor.

Sec. 7. Said board shall have the power to declare all contracts made under this act void, when the work is not being done, or the materials furnished are not furnished in quality or in the time stipulated for in the contract, and shall in such event relet the work upon the same terms, except as to notice as is provided in this act, and the substance of this section shall be set forth in each contract.

Sec. 8. The board shall have power to remove at any time the person whose appointment is provided for in section 6 of this act.

Sec. 9. The board of commissioners and the person whose appointment is provided for in section 6 of this act, shall be allowed each \$5.00 per day for all the time necessarily employed by them in the performance of the duties required by this act, and all necessary traveling expenses; *Provided*, That no commissioner shall receive more than \$200 per annum for his services.

Sec. 10. In order to carry out the provisions of this act, there is hereby appropriated the sum of \$150,000 for the year 1875, and \$200,000 for the year 1876, out of any money in the Treasury not otherwise appropriated.

Sec. 11. The necessary expenses of said asylums, and the control and management thereof shall be paid out of the State Treasury under such regulations and restrictions as may be adopted by the

board of commissioners, and as far as practicable in conformity with the administration of the affairs of the asylum; *Provided*, That no one in any way related by birth or marriage nearer than the fourth degree of consanguinity to any member of the board, nor more than one of the same family, shall hold any position of trust or profit, by appointment or otherwise, in connection with either of said asylums, and the compensation shall be the same as that now paid for similar services by the Hospital for the Insane.

Sec. 13. It shall be the duty of the Governor, as soon as any portion of said asylum is completed and ready to receive patients, to make it known by proclamation, and patients may then be received, and the same rules and regulations shall govern the receiving, treatment and discharge of patients, as far as practicable, shall govern and be enforced by these asylums as now govern and are in force in the present Hospital for the Insane; *Provided, however*, That no patients shall be discharged from said asylums until permanently cured; *and provided, also*, that the Governor and said board of commissioners shall prescribe such reasonable rules for the admission of patients as they may deem proper.

Sec. 14. All laws and regulations now in force in reference to the government of the present Hospital for the Insane, so far as the same are applicable to the government of said asylums, are hereby continued in force.

Sec. 15. Whereas, an emergency exists for the immediate taking effect of this act; therefore, the same shall take effect and be in force from and after its passage, and when so amended that the bill do pass.

Was placed on the calendar.

Engrossed Senate Bill No. 127, a bill to revise, simplify and abridge the rules, practice and pleadings in the courts of this State,

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bearss, Boone, Bowman, Bunyan, Cardwell, Chapman, Cree, Culbertson, Daggy, Davidson, Givan, Gooding, Grove, Hackleman, Harney, Haworth, Henderson, Hough, Humphries, Johnson of Parke, LaRue, Major, Maxwell, Neff, Oliver, Peed, Rhodes, Ringo, Roe, Sarnighausen, Scott, Skinner, Slater, Stockslager, Tobin and Underwood—38.

Those who voted in the negative were,

Messrs. Smith, Wilson and Winterbotham—3.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Ordered that the Secretary inform the House of the passage of the bill.

Engrossed Senate Bill No. 229. A bill to provide for the assessment of real and personal property, etc.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Culbertson, Friedley of Lawrence, Grove, LaRue, Maxwell, Peed, Rhodes, Roe, Slater, Smith, Stockslager and Winterbotham—12.

Those who voted in the negative were,

Messrs. Baxter, Beardsley, Bearss, Boone, Bowman, Bunyan, Cardwell, Chapman, Cree, Daggy, Davidson, Givan, Hackleman, Harney, Haworth, Henderson, Hendricks, Hough, Humphries, Major, Neff, Oliver, Ringo, Sarnighausen, Scott, Skinner, Tobin, Underwood and Wilson—29.

So the bill failed to pass.

Engrossed Senate Bill No. 282. A bill to limit the power of Township Trustees, in incurring debts and requiring him to designate certain days for the transaction of the business, etc.

Was read a third time.

The question being, shall the bill pass ?

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bearss, Bell, Bunyan, Cardwell, Chapman, Cree, Culbertson, Davidson, Friedley of Lawrence, Hackleman, Haworth, Henderson, Hough, Humphries, LaRue, Major, Maxwell, Oliver, Peed, Rhodes, Ringo, Roe, Sarnighausen, Scott, Skinner, Slater, Stockslager, Tobin, Underwood, Wilson and Winterbotham—33.

Those voting in the negative were,

Messrs. Boone, Bowman, Givan, Grove, Harney, Johnson of Parke, Neff and Smith—8.

So the bill passed.

The question being, shall the title as read stand as the title of the bill ?

It was so ordered.

Ordered that the Secretary inform the House of the passage of the bill.

Engrossed Senate Bill No. 223. A bill providing for the organization of county boards and prescribing some of the powers, etc.

Was read a third time, and informally passed over for the present.

Report by Mr. Oliver.

The Committee on Phraseology and Arrangement of Bills have examined Senate Bill No. 95 and find the same correctly engrossed.

Engrossed Senate Bill No. 286. A Bill concerning domestic animals running at large, etc.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bearss, Boone, Bowman, Bunyan, Cardwell, Chapman, Cree, Culbertson, Daggy, Davidson, Friedley of Lawrence, Givan, Grove, Hackleman, Haworth, Henderson, Hendricks, Hough, Johnston of Parke, LaRue, Major, Maxwell, Neff, Oliver, Rhodes, Ringo, Roe, Sarnighausen, Scott, Slater, Smith, Tobin, Underwood and Winterbotham—36.

Those who voted in the negative were,

Messrs. Humphries, Peed, Skinner, Stockslager and Wilson—5.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Ordered, that the Secretary inform the House of the passage of the bill.

Engrossed Senate Bill No. 179. A bill regulating the number of grand jurors and the manner of their election.

Was read a third time.

By unanimous consent, Mr. Bell moved to amend by inserting in the proper place the words "or sessions."

Which was agreed to.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bearss, Bell, Boone, Bowman, Bunyan, Cardwell, Chapman, Culbertson, Daggy, Davidson, Grove, Hackleman, Haworth, Henderson, Hendricks, Humphries, Johnston of Parke, La Rue, Major, Maxwell, Neff, Oliver, Peed, Rhodes, Ringo, Roe, Sarnighausen, Scott, Skinner, Slater, Stockslager, Tobin, Underwood, Wilson and Winterbotham—37.

Those who voted in the negative were,

Messrs. Givan, Gooding, Hough and Smith—4.

So the bill passed.

The question being shall the title as read stand as the title of the bill?

It was so ordered.

Ordered, that the Secretary inform the House of the passage of the bill.

Engrossed Senate Bill No. 190. A bill vesting the inchoate interest of married women in the lands of their husbands in certain cases.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bearss, Bell, Boone, Bowman, Cardwell, Chapman, Cree, Culbertson, Daggy, Davidson, Friedley of Lawrence, Hackleman, Haworth, Henderson, Hendricks, Hough, Johnston of Parke, LaRue, Major, Maxwell, Neff, Oliver, Peed, Rhodes, Roe, Sarnighausen, Scott, Skinner, Slater, Stockslager, Tobin, Underwood, Wilson and Winterbotham—36.

Those who voted in the negative were,

Messrs. Bunyan, Givan, Grove, Humphries and Ringo—5.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Ordered, that the Secretary inform the House of the passage of the bill.

Engrossed Senate Bill No. 307. A bill to divide the State into circuits for judicial purposes.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bearss, Bell, Boone, Bowman, Bunyan, Cardwell, Cree, Chapman, Culbertson, Daggy, Davidson, Friedley of Lawrence, Givan, Grove, Hackleman, Haworth, Henderson, Hendricks, Hough, Humphries, Johnston of Parke, LaRue, Major, Maxwell, Neff, Oliver, Peed, Rhodes, Ringo, Roe, Sarnighausen, Scott, Skinner, Slater, Sleeth, Stockslager, Tobin, Underwood, Wilson and Winterbotham—42.

No Senator voting in the negative.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Ordered, that the Secretary inform the the House of the passage of bill.

Engrossed Senate Bill No. 201. A bill to legalize the organization of all plank road companies.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bearss, Bell, Boone, Bowman, Bunnan, Cardwell, Cree, Culbertson, Daggy, Givan, Grove, Hackleman, Haworth, Hendricks, Hough, Humphries, Johnston of Parke, LaRue, Major, Maxwell, Neff, Oliver, Peed, Rhodes, Ringo, Roe, Sarnighausen, Scott, Skinner, Sleeth, Stockslager, Tobin, Underwood and Wilson—36.

Mr. Winterbotham voting in the negative.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

By unanimous consent, Mr. Scott moved to strike out of the title all relating to roads, except plank roads.

Which was agreed to.

The title as amended was then agreed to.

Ordered, that the Secretary inform the House of the passage of the bill.

Message from the House by Mr. Holmes, Clerk thereof:

MR. PRESIDENT:

I am directed by the Speaker of the House to inform the Senate that the House has passed the following engrossed bills, to-wit:

House Bill No. 118, an act to amend sections 33, 37 and 43 and supplemental section 6 of an act to provide for a general system of common schools.

Also, No. 453, an act regulating the fees for officers and providing penalties for its violation, repealing certain acts therein named and providing duties to be performed by State, county and township officers, and matters properly connected therewith.

And said bills are herewith transmitted for the action of the Senate.

On motion by Mr. Neff, Engrossed House Bill No. 453, a bill regulating the fees of officers and providing penalties, etc., was taken up.

On motion by Mr. LaRue, was read a first time by title and referred to the Committee on Fees and Salaries.

Engrossed Senate Bill No. 290. A bill containing several provisions regarding landlords, tenants, lessors, etc.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Baxter, Bearss, Boone, Bowman, Bunyan, Cardwell, Chapman, Cree, Culbertson, Davison, Friedley of Lawrence, Gooding, Grove, Hackleman, Haworth, Henderson, Hough, LaRue, Major, Maxwell, Neff, Rhodes, Ringo, Roe, Scott, Skinner, Stockslager, Tobin, Underwood, and Wilson—30.

Those who voted in the negative were,

Messrs. Bell, Johnston of Parke, Peed and Sleeth—4.

So the bill passed.

The question being shall the title as read stand as the title of the bill?

It was so ordered.

Ordered, that the Secretary inform the House of the passage of the bill.

Mr. Friedley of Lawrence, called up Engrossed Senate Bill No. 124, a bill concerning common carriers of passengers, etc.

Which failed to pass yesterday for want of a constitutional majority.

Mr. Sleeth offered the following amendment :

Provided, however, That nothing herein shall be held or construed to change or in any manner affect the law as it now exists regulating the liability of common carriers or to enlarge their rights, to limit or restrict their liabilities on account of having such attempted limitation printed as required by this act.

Which was agreed to.

The question being, shall the bill pass ?

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bell, Boone, Bowman, Bunyan, Cardwell, Chapman, Cree, Culbertson, Davidson, Friedley of Lawrence, Givan, Gooding, Grove, Hackleman, Haworth, Henderson, Hendricks, Hough, Major, Maxwell, Neff, Oliver, Peed, Ringo, Roe, Sarnighausen, Scott, Skinner, Slater, Sleeth, Stockslager, Tobin, Underwood and Wilson—35.

Those who voted in the negative were,

Messrs. Humphries and LaRue—2.

So the bill passed.

The question being, shall the title as read stand as the title of the bill ?

It was so ordered.

Ordered, that the Secretary inform the House of the passage of the bill.

Engrossed Senate Bill No. 95. A bill relating to the laying out, opening and widening streets, etc.

Was read a third time and passed over informally for the present.

Report by Mr. Bell, from the Committee on Phraseology :

That they have examined Senate Bills No. 79, 331 and 302, and find the same correctly engrossed.

Mr. Daggy, from the same committee, reported Engrossed Senate Bills Nos. 309 and 148 as correctly engrossed.

Engrossed Senate Bill No. 182. A bill to amend section 17 of an act entitled, "An act regulating prosecutions in cases of bastardy, etc."

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Baxter, Bearss, Bell, Boone, Bowman, Bunyan, Cardwell, Culbertson, Daggy, Davidson, Givan, Gooding, Grove, Hackleman, Haworth, Henderson, Hendricks, Hough, Humphries, Johnston of Parke, LaRue, Major, Maxwell, Neff, Oliver, Peed, Roe, Sarnighausen, Scott, Sleeth, Smith, Tobin, Underwood and Wilson—39.

Those who voted in the negative were,

Messrs. Chapman, Rhodes, Ringo, Slater, Stockslager and Winterbotham—6.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Ordered, that the Secretary inform the House of the passage of the bill.

Engrossed Senate Bill No. 4. A bill to require railroad companies to issue stock, etc.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Baxter, Bunyan, Davidson, Haworth, Henderson, LaRue, Oliver, Rhodes, Roe, Sarnighausen, Scott and Skinner—12.

Those who voted in the negative were,

Messrs. Beardsley, Bearss, Bell, Boone, Bowman, Chapman, Cree, Daggy, Friedley of Lawrence, Givan, Gooding, Grove, Hackleman, Harney, Hendricks, Hough, Humphries, Johnston of Parke, Major, Maxwell, Peed Ringo, Slater, Stockslager, Tobin, Underwood and Winterbotham—27.

So the bill failed to passed.

Engrossed Senate Bill No. 231. A bill for the encouragement of manufacturing companies.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Baxter, Bell, Boone, Bowman Bunyan, Cardwell, Chapman, Culbertson, Daggy, Davidson, Grove, Hackleman, Haworth, Henderson, Humphries, Oliver, Sarnighauson, Scott, Slater, Sleeth, Tobin, Wilson and Winterbotham—24.

Those who voted in the negative were,

Messrs. Beardsley, Bearss, Cree, Givan, Harney, Hough, Johnston of Parke, LaRue, Major, Maxwell, Neff, Peed, Rhodes, Ringo, Roe, Smith, Stockslager and Underwood—18.

So the bill failed to pass for want of a constitutional majority.

Engrossed Senate Bill No. 258. An act declaring what shall in certain cases, be the rate of the assessment of taxes upon the real estate in cities and incorporated towns, etc.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bearss, Boone, Bowman, Bunyan, Cardwell, Chapman, Cree, Culbertson, Daggy, Davidson, Friedley of Lawrence, Givan, Grove, Hackleman, Harney, Haworth, Henderson, Hendricks, Hough, Humphries, Johnston of Parke, LaRue, Major, Maxwell, Neff, Oliver, Rhodes, Ringo, Roe, Sarnighausen, Scott, Skinner, Slater, Sleeth, Smith, Stockslager, Tobin, Underwood, Wilson and Winterbotham—42.

Senator Peed voting in the negative.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Ordered, That the Secretary inform the House of the passage of the bill.

Engrossed Senate Bill No. 248. A bill defining the duties of county and State Boards of Equalization in certain cases and prescribing the manner of determining the value of property, etc.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bearss, Bell, Boone, Bowman, Cardwell, Culbertson, Daggy, Friedley of Lawrence, Grove, Hackleman, Harney, Haworth, Henderson, LaRue, Major, Oliver, Roe, Sarnighausen, Scott and Winterbotham—22.

Those who voted in the negative were,

Messrs. Bunyan, Chapman, Cree, Givan, Hough, Humphries, Johnston of Parke, Neff, Peed, Ringo, Slater, Sleeth, Smith, Stockslager, Tobin, Underwood and Wilson—17.

So the bill failed to pass for want of a constitutional majority.

Engrossed Senate Bill No. 42. A bill to provide for the redemption of personal property, etc.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bell, Boone, Bowman, Bunyan, Cardwell, Chapman, Cree, Culbertson, Daggy, Davidson, Givan, Grove, Hackleman, Haworth, Hendricks, Hough, Humphries, Johnston of Parke, Major, Maxwell, Neff, Oliver, Peed, Rhodes, Ringo, Sarnighausen, Scott, Skinner, Slater, Smith, Stockslager, Tobin, Underwood, Wilson and Winterbotham—33.

Those who voted in the negative were,

Messrs. Friedley of Lawrence, and LaRue—2.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Ordered, That the Secretary inform the House of the passage of the bill.

Mr. Skinner moved that when the Senate adjourn it be until 7:30 o'clock this evening, and that House Bills on first and second readings be made special order for that hour.

Which was not agreed to.

Leave of absence was granted to Mr. Daggy for to-morrow; also, to Mr. Dykeman, on account of sickness.

By unanimous consent, Mr. Friedley of Lawrence, made the following report:

MR. PRESIDENT:

Your Committee on Judiciary, to whom was referred Engrossed

House Bill No. 75, an act supplementary to an act concerning partition of lands, approved May 20, 1852, have given such bill careful consideration and have directed me to report the same back to the Senate with a recommendation for its passage.

Was placed on the calendar.

Report by Mr. Daggy :

MR. PRESIDENT :

The Committee on Phraseology and Arrangement of Bills have examined Engrossed Senate Bill No. 247, and find the same correctly engrossed.

On motion, by Mr. Chapman, the Senate adjourned until 9 o'clock to-morrow morning.

LEONIDAS SEXTON,

President of the Senate.

WEDNESDAY MORNING,

MARCH 3, 1875—9 O'CLOCK.

Senate assembled.

In the absence of the President, the Senate was called to order by the Secretary.

On motion, by Mr. Rhodes, Mr. Humphries took the chair.

Pending the reading of the Journal on motion, by Mr. Skinner, the further reading was dispensed with and the Journal of yesterday then approved.

On motion, by Mr. Friedley of Lawrence, the order of business was suspended, and Senate Bills on third reading taken up.

SENATE BILLS ON THIRD READING.

Engrossed Senate Bill No. 310. A bill providing for serving process upon the officers, directors, attorney or agents of any steam-boat company.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Baxter, Bearss, Boone, Bowman, Bunyan, Cardwell, Cree, Culbertson, Friedley of Lawrence, Friedley of Scott, Givan, Grove, Hackleman, Harney, Haworth, Henderson, Hendricks, Hough, Howard, Humphries, LaRue, Major, Maxwell, Rhodes, Ringo, Roe, Sarnighausen, Scott, Skinner, Slater, Smith, Tobin, Underwood, Wilson and Winterbotham—35.

Those who voted in the negative were,

Messrs. Beardsley, Gooding and Neff—3.

So the bill passed.

The question, being, shall the title as read stand as the title of the bill?

It was so ordered.

Ordered, that the Secretary inform the House of the passage of the bill.

Engrossed Senate Bill No. 145. A bill to enforce partitions of real estate of decedents in certain cases, and declaring an emergency.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bearss, Boone, Bowman, Bunyan, Cardwell, Chapman, Cree, Culbertson, Davidson, Friedley of Lawrence, Givan, Gooding, Hackleman, Haworth, Henderson, Hendricks, Hough, Howard, Humphries, Johnston of Parke, LaRue, Major, Maxwell, Neff, Rhodes, Ringo, Roe, Sarnighausen, Scott, Slater, Smith, Tobin, Wilson and Winterbotham—36.

No Senator voting in the negative.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Ordered, that the Secretary inform the House of the passage of the bill.

Engrossed Senate Bill No. 234. A bill to revise, simplify, etc., the rules, practice, etc., in civil cases in the courts of this State, etc.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bearss, Bell, Boone, Bowman, Bunyan, Cardwell, Chapman, Culbertson, Davidson, Friedley of Lawrence, Friedley of Scott, Givan, Grove, Hackleman, Haworth, Henderson, Hendricks, Hough, Howard, Johnston of Parke, LaRue, Major, Maxwell, Neff, Rhodes, Ringo, Roe, Sarnighausen, Scott, Tobin, Underwood, Wilson and Winterbotham—35.

Senator Humphries voting in the negative.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Ordered, that the Secretary inform the House of the passage of the bill.

Message from the House, by Mr. Holmes, Clerk thereof:

MR. PRESIDENT:

I am directed by the Speaker of the House to inform the Senate that the House has passed the following Engrossed House Bills, to-wit:

Engrossed House Bill No. 362, entitled "An act defining the duties of administrators and executors in making reports and settling estates and declaring the duties of courts therein, fixing the amounts of fees to be allowed administrators and guardians, and providing for the recovering back of allowances, and declaring an emergency."

Also, House Bill No. 264, entitled "An act providing for appeals from the decisions of Boards of Commissioners."

Also, House Bill No. 409, entitled "An act to amend the 17th section of an act approved May 12, 1869, entitled 'an act to provide for the organization of savings banks and the safe and proper management of their affairs.'"

Also, House Bill No. 239, entitled "An act to prevent the forfeitures of policies of insurance upon life when the premiums have been paid in cash."

Also, House Bill No. 479, entitled "An act to legalize the acts of boards of trustees and other officers of incorporated towns in cases when the inspectors of elections have failed to make return of the election of such officers within the time prescribed by law."

Also, House Bill No. 485, entitled "An act authorizing the appointment of a short-hand reporter in certain courts of record in the State in counties containing a population of seventy thousand or more inhabitants, and prescribing the duties and compensation of such reporters."

Also, House Bill No. 489. An act making general appropriations for the years 1875 and 1876, and authorizing certain State officers to make temporary loans in certain specified contingencies.

And said bills are herewith transmitted for the action of the Senate.

Engrossed Senate Bill No. 353. A bill defining certain felonies and prescribing penalties therefor.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bearss, Bell, Boone, Bunyan, Cardwell, Chapman, Cree, Culbertson, Davidson, Friedley of Lawrence, Friedley of Scott, Givan, Gooding, Grove, Hackleman, Harney, Haworth, Henderson, Hendricks, Hough, Howard, Humphries, Johnston of Parke, LaRue, Major, Maxwell, Neff, Rhodes, Ringo, Sarnighausen, Scott, Slater, Smith, Tobin, Underwood, Wilson and Winterbotham—39.

No Senator voting in the negative.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Ordered, that the Secretary inform the House of the passage of the bill.

Engrossed Senate Bill No. 329. A bill to provide for the opening, vacating and changing of highways, etc.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Beardsley, Bearss, Bunyan, Cardwell, Culbertson, Davidson, Givan, Hackleman, Haworth, Henderson, Hendricks, Hough, Howard, Humphries, Johnston of Parke, Major, Maxwell, Ringo, Roe, Sarnighausen, Scott, Slater, Sleeth, Tobin, Underwood, Wilson and Winterbotham—27.

Those who voted in the negative were,

Messrs. Boone, Bowman, Cree, Friedley of Lawrence, Gooding, Grove, Harney, LaRue, Rhodes and Smith—10.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Ordered, That the Secretary inform the House of the passage of the bill.

Engrossed Senate Bill No. 337. A bill to legalize the election of officers of the town of Zionsville.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bearss, Boone, Bowman, Bunyan, Cardwell, Chapman, Cree, Culbertson, Davidson, Friedley of Scott, Givan, Gooding, Grove, Hackleman, Haworth, Henderson, Hendricks, Hough, Howard, Humphries, Johnston of Parke, LaRue, Major, Neff, Peed, Ringo, Roe, Scott, Slater, Tobin, Underwood, Wilson and Winterbotham—35.

No Senator voting in the negative.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Ordered, That the Secretary inform the House of the passage of the bill.

Engrossed Senate Bill No. 352. A bill to change the name of the Widows' and Orphans' Asylum to the Indianapolis Orphan Asylum.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bearss, Boone, Bowman, Bunyan, Cardwell, Chapman, Cree, Culbertson, Davidson, Friedley of Lawrence, Friedley of Scott, Givan, Gooding, Grove, Hackleman, Harney, Haworth, Henderson, Hendricks, Hough, Humphries, Johnston of Parke, Major, Maxwell, Neff, Peed, Ringo, Roe, Scott, Sleeth, Smith, Tobin, Underwood, Wilson and Winterbotham—38.

No Senator voting in the negative.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Ordered, That the Secretary inform the House of the passage of the bill.

Engrossed Senate Bill No. 331. An act to amend section 135 of an act entitled "An act to provide for a uniform assessment of property, and for the collection and return of taxes thereon," approved December 21, 1872.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bearss, Bell, Boone, Bunyan, Cardwell, Cree, Culbertson, Hackleman, Harney, Haworth, Henderson, Hendricks, Howard, LaRue, Major, Maxwell, Neff, Rhodes, Ringo, Roe, Sarnighausen, Skinner, Slater, Tobin, Underwood, Wilson and Winterbotham—29.

Those who voted in the negative were,

Messrs. Bowman, Chapman, Friedley of Lawrence, Givan, Gooding, Humphries, Peed and Smith—8.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Ordered, that the Secretary inform the House of the passage of the bill.

Engrossed Senate Bill No. 148. A bill authorizing appeals from the board of county commissioners to the circuit court, and providing for perfecting such appeals and the trial thereof.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Cree, Daggy, Friedley of Lawrence, Haworth, Humphries, Peed, Scott, Sleeth, Smith, Underwood and Wilson—11.

Those who voted in the negative were,

Messrs. Baxter, Beardsley, Bearss, Bell, Boone, Bowman, Bunyan, Cardwell, Chapman, Culbertson, Davidson, Givan, Gooding, Grove, Hackleman, Harney, Henderson, Hendricks, Hough, Howard, Johnston of Parke, LaRue, Major, Maxwell, Neff, Rhodes, Roe, Sarnighausen, Slater, Tobin and Winterbotham—31.

So the bill failed to pass.

Engrossed Senate Bill No. 309. A bill to provide for the incorporation of cities, prescribing their powers, etc.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Humphries and Wilson—2.

Those who voted in the negative were,

Messrs. Baxter, Beardsley, Bearss, Bell, Boone, Bowman, Bunyan, Cardwell, Chapman, Cree, Culbertson, Daggy, Davidson, Dykeman, Friedley of Lawrence, Friedley of Scott, Givan, Gooding, Grove, Hackleman, Harney, Haworth, Henderson, Hendricks, Hough, Howard, Johnston of Parke, LaRue, Major, Maxwell, Neff, Peed, Ringo, Sarnighausen, Scott, Skinner, Slater, Sleeth, Smith, Tobin, Underwood and Winterbotham—42.

So the bill failed to pass.

Engrossed Senate Bill No. 79. A bill to provide for the inspection of coal and petroleum oils, etc.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Bell, Chapman, Cree, Daggy, Dykeman, Haworth, Henderson, Hough, Howard, LaRue, Maxwell, Oliver, Ringo, Roe, Sarnighausen, Scott, Smith, Tobin, Underwood, Wilson and Winterbotham—23.

Those who voted in the negative were,

Messrs. Baxter, Beardsley, Bearss, Boone, Bowman, Bunyan, Cardwell, Culbertson, Davidson, Friedley of Scott, Gooding, Grove, Hendricks, Johnston of Parke, Major, Neff, Peed and Slater—18.

So the bill failed to pass for want of a constitutional majority.

Engrossed Senate Bill No. 220. A bill to provide for the appointment of a proper person to collect, arrange and index the Wabash and Erie Canal, etc.

Was read a third time.

Mr. LaRue moved to recommit the bill to the committee with the following instructions:

Insert the words "not exceeding \$2,000 per annum" in the proper place as compensation of the person to be appointed to do the work contemplated by the bill.

Mr. Chapman moved that the bill and amendment be indefinitely postponed.

Messrs. Smith and LaRue demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bearss, Bell, Boone, Bowman, Bunnan, Cardwell, Chapman, Cree, Daggy, Davidson, Friedley of Lawrence, Friedley of Scott, Hackleman, Haworth, Hendricks, Hough, Humphries, Major, Neff, Ringo, Scott, Slater, Tobin, Underwood and Wilson—27.

Those who voted in the negative were,

Messrs. Culbertson, Dykeman, Givan, Gooding, Grove, Harney, Henderson, Howard, Johnston of Parke, LaRue, Maxwell, Oliver, Peed, Rhodes, Roe, Sarnighausen, Skinner, Smith and Winterbotham—19.

So the bill and amendments were indefinitely postponed.

Engrossed Senate Bill No. 254. A bill to amend sections 23, 116, 117 and 178 of an act entitled "An act providing for the settlement of decedents' estates," etc., etc.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Baxter, Boone, Bowman, Bunyan, Chapman, Cree, Culbertson, Daggy, Friedley of Lawrence, Friedley of Scott, Givan, Gooding, Hackleman, Harney, Haworth, Henderson, Hendricks, Hough, Howard, Humphries, LaRue, Major, Maxwell, Neff, Oliver, Peed, Rhodes, Ringo, Roe, Scott, Slater, Tobin, Underwood, Wilson and Winterbotham—35.

Those who voted in the negative were,

Messrs. Beardsley, Bell, Davidson and Grove—4.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Ordered, that the Secretary inform the House of the passage of the bill.

By consent, Mr. Rhodes made the following report:

MR. PRESIDENT:

Your Committee on Fees and Salaries, to whom was referred Engrossed House Bill No. 453, being an act entitled "An act regulating the fees of officers," etc., have had the same under consideration, and have directed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

Mr. Humphries moved to amend by inserting in place of the words "indefinitely postponed" the words "do lie on the table."

Which was agreed to.

The report as amended was then concurred in and the bill laid on the table.

Report by Mr. Cree.

MR. PRESIDENT:

Your Committee on Claims have directed me to report back the

following claims allowed by the committee with a recommendation that they be referred to the Finance Committee for incorporation into the Specific Appropriation Bill:

Claim of Braden & Burford for stationery furnished the Senate Judiciary Committee of Special Session of 1872, claim \$33.30, allowed for \$25.00.

Claim of John B. Glover for compensation for services in the affairs of the Sinking Fund, holding sales of real estate, satisfying mortgages, etc., under the provisions of an act to consolidate certain mortgage loans, forfeitures, bills receivable and other debts and accounts due the school fund, etc., approved March 11, 1873. The amount claimed is \$1,000, and your committee consider that he is justly entitled to the sum of \$500.

Was concurred in and the report referred to the Committee on Finance.

Report by Mr. Daggy.

MR. PRESIDENT:

The Committee on Elections, to whom was referred Engrossed House Bill No. 70, an act to define bribery in certain cases, and to prescribe punishment for persons bribed to vote, have considered the same and direct me to return the same recommending that in line 18 of section 1 the word "other means" be stricken out and the words "thing of value" be substituted therefor, and when so amended recommend its passage.

Was placed on the calendar.

Report by Mr. Gooding.

MR. PRESIDENT:

The Committee on Organization of Courts, to whom was referred House Bill No. 275, a bill to divide the State into circuits for judicial purposes, etc., have had the same under consideration, and direct me to report the same back with the recommendation that it pass.

Was placed on the calendar.

Report by Mr. Haworth.

MR. PRESIDENT:

Your Committee, to whom was referred Senate Bill No. 355, a bill to amend an act entitled "An act to amend section 5 of an act entitled 'an act to prohibit the collection of tolls on gravel, turnpike, macadamized and plank roads in certain cases and to provide the mode of declaring rights of such roads forfeited,'" approved February 25, 1873, have had the same under consideration and direct me to report the same back to the Senate without recommendation.

Was placed on the calendar.

Report by Mr. Johnston of Parke.

MR. PRESIDENT:

Your Committee on Judiciary, to whom was referred Engrossed House Bill No. 415, entitled "An act to amend the 2d and 3d sections of an act entitled 'an act to fix the number of Senators and Representatives to the General Assembly of the State of Indiana, and to apportion the same among the several counties of the State, and declaring an emergency,'" approved December 27, 1872, have had the same under consideration and I am directed by a majority of the committee to make the following report, to-wit:

The bill proposes to amend the 2d and 3d sections of the act for the apportionment of Senators and Representatives in the General Assembly of the State, among the several counties of this State, approved December 27, 1872.

There are two constitutional questions involved in the consideration of this bill:

1st. Has the Legislature the constitutional power to re-apportion the State for Senatorial and Representative purposes at the present session?

Section 4 article 4 of the constitution of the State is as follows:

The General Assembly shall, at its second session after the adoption of this constitution and every six years thereafter, cause

an enumeration to be made of all the white male inhabitants over the age of twenty-one years. And section 5 of said article provides as follows:

The number of Senators and Representatives shall, at the session next following each period of making such enumerations, be fixed by law and apportioned among the several counties according to the number of white male inhabitants above twenty-one years of age in each.

The second proposition to consider is, does the bill under consideration apportion the Senators and Representatives among the several counties of the State, according to the number of white male inhabitants above the age of 21 years in each? A majority of your Committee are of the opinion that it was the intention of the framers of the Constitution that every county in the State should be represented in accordance with the population as aforesaid, and that no county should be left unrepresented in either branch of the General Assembly on account of locality or sparseness of population, and upon a careful examination of the bill under consideration, a majority of your Committee find that Vermillion county, with a population of ——— white inhabitants over the age of 21 years, is by the terms of said bill wholly ignored and disfranchised as to their Representative in the House of Representatives, as provided for in this bill.

A majority of your Committee, therefore, find that the said bill does not apportion the Representatives among the several counties of the State according to the population, as provided for in the Constitution, and is therefore unconstitutional. Having found the bill fatally defective upon this point, we consider it a useless waste and expenditure of time to argue the other constitutional question introduced in the controversy. Hence, a majority of your Committee recommend that the bill be indefinitely postponed.

Was placed on the calendar.

Report by Mr. Friedley of Lawrence.

MR. PRESIDENT:

Your Committee on Judiciary, to whom was referred Engrossed House Bill No. 261, being an act to authorize the change of county boundaries, and declaring an emergency, have had the same under

consideration, and recommend that the bill be amended by adding the following to the first section thereof: *Provided*, That elections under the provisions of this act shall not be held oftener than once in each three years, and that when so amended the bill do pass.

Was placed on the calendar.

Report by Mr. Friedley of Lawrence.

MR. PRESIDENT :

Your Committee on Judiciary, to whom was referred Senate Bill No. 270, being an act in relation to married women engaged in trade, and fixing their liability, have had the same under consideration and recommend that the same be amended by striking out the words "or implied," in line five of section one of the bill, and that when so amended the same do pass.

Was placed on the calendar.

Report by Mr. Hough.

MR. PRESIDENT :

The Committee on Corporations, to whom was referred Engrossed House Bill No. 165, entitled "An act to amend sections 31 and 35 of an act for the incorporation of towns, defining their powers," etc., approved June 11, 1852, have had the same under consideration, and have directed me to return the same back to the Senate with the recommendation that it be amended as follows :

1st. Amend the title by striking out the words "thirty and thirty-one," and insert in lieu thereof the words "one and three of an act entitled 'an act for the incorporation of towns, defining their powers, providing for the election of the officers thereof and declaring their duties, and declaring certain taxes legal, and to provide for the manner of giving notices by the trustees of incorporated cities and towns,'" approved March 3, 1865.

2d. Further amend the title by inserting after the word "and," in line 2, the words "also section."

3d. Amend section 1 by striking out all between the word "section," in line 3, and the word "be," in line 7, and inserting the following in lieu thereof:

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One of an act entitled "An act to amend an act entitled 'an act for the incorporation of towns, defining their powers, providing for the election of the officers thereof and declaring their duties, and declaring certain taxes legal and to provide for the manner of giving notices by the trustees of incorporated cities and towns,'" approved March 3, 1855.

4th. Amend section 2 by striking out the word "thirty-one," in line 1, and inserting in lieu thereof the word "three;" also, strike out the letter "l," in the word "prescribe," in line 7.

5th. Amend section 3 by striking out the word "said," in line 2, and inserting in lieu thereof the word "are;" also, by inserting after the word "act," in line 2, the following: "For the incorporation of towns, defining their powers, providing for the election of the officers thereof, and declaring their duties," approved June 11, 1852, and when so amended, that the bill do pass.

Was placed on the calendar.

Report by Mr. Peed.

MR. PRESIDENT:

The Committee on Judiciary, to whom was referred Senate Bill No. 339, being an act entitled "An act to amend an act prescribing certain duties of prosecuting and district attorneys," approved June 11, 1852, have had the same under consideration and direct me to report the following bill as a substitute for said bill, and that said original bill be laid on the table, and they recommend the passage of the substitute bill.

Substitute Senate Bill No. 339. A bill to encourage the prosecution of misdemeanors before justices of the peace, etc.

Was read a first time.

Report by Mr. Sleeth.

MR. PRESIDENT:

The Judiciary Committee, to whom was referred Senate Bill No. 347, an act to amend section 1 of an act for an act to authorize the Governor of the State of Indiana to exchange with Peter

Donnelly certain lands therein described, etc., report in favor of the bill.

Was placed on the calendar.

Report by Mr. Boone.

MR. PRESIDENT:

The Committee on Judiciary, to whom was referred Senate Bill No. 345, a bill making the writing, printing or publishing of a libel unlawful, and prescribing the punishment therefor, have had the same under consideration and recommend that it be indefinitely postponed.

Was placed on the calendar.

Report by Mr. Boone:

MR. PRESIDENT:

The Committee on Judiciary, to whom was referred Engrossed House Bill No. 414, a bill to provide for the speedy collection of money due to laborers, performed by them for their employers, have had the same under consideration, and a majority of said Committee have instructed me to report the bill back to the Senate for its action.

Was placed on the calendar.

Report by Mr. Bell:

MR. PRESIDENT:

The Committee on Judiciary, to whom was referred House Bill No. 294, being an act to amend section 467 of an act entitled "An act to revise, simplify and abridge the rules of practice, pleadings," etc., have had the same under consideration, and have directed me to report the same with the recommendation that the bill do pass.

Was placed on the calendar.

Report by Mr. Boone:

MR. PRESIDENT:

The Committee on Judiciary, to whom was referred Senate Bill

No. 332, a bill for the relief of John D. McQueen, Howard Lee, and others, together with the memorial of citizens and tax payers of Bartholomew county on the same subject, have had the same under consideration, and a majority of said Committee have instructed me to report the same back without recommendation for the action of the Senate.

Was placed on the calendar.

Report by Mr. Boone:

MR. PRESIDENT:

The Committee on Agriculture, to whom was referred House Bill No. 212, a bill to amend section 34 of an act entitled "An act defining misdemeanors and prescribing punishment therefor," approved June 14, 1852, have had the same under consideration, and have directed me to report the bill back to the Senate with a recommendation that the same do lie upon the table.

Was placed on the calendar.

Report by Mr. Peed.

MR. PRESIDENT:

The Committee on Judiciary, to whom was referred Senate Bill No. 403, being an act entitled "An act legalizing the incorporation of the town of Tipton and the official acts of the several boards of trustees and other officers," have had the same under consideration, and direct me to report the same back to the Senate for its action without any recommendation.

Was placed on the calendar.

Report by Mr. Sleeth.

MR. PRESIDENT:

The Committee on Judiciary, to whom was referred Senate Bill No. 301, a bill to amend an act entitled "An act to amend section 11 of an act entitled 'an act concerning county prisons,' " etc., have had the same under consideration, and instructed me to report the same back to the Senate with the following amendments, viz.: Strike out all after section 1 after the word "act," in line 4 of said

section, down to and including the word "demanded," in line 34 of said section. Also, strike out all of section 2, and when so amended the committee recommend the passage of the bill.

Was placed on the calendar.

Report by Mr. Johnston of Parke.

MR. PRESIDENT:

Your Committee on Judiciary, to whom was referred Senate Bill No. 257, a bill to authorize circuit judges to appoint receivers in vacation the same as in term, have had the same under consideration, and have directed me to report the same back to the Senate with the recommendation that the same do pass.

Was placed on the calendar.

Report by Mr. Harney.

MR. PRESIDENT:

I am directed by the Committee on Claims to return the following claims with a recommendation that they be not allowed:

Henry Carroll, for swamp land ditching...	\$115 31
C. C. Pell, for swamp land ditching.....	64 00
Martin Kendall, for swamp land ditching.....	146 00
Martin Smith, for swamp land ditching.....	50 00
Matt F. Garr, for swamp land ditching.....	58 00
Andrew J. Griffin, for swamp land ditching.....	129 30
Henry Garr.....	255 00
James Cravens.....	1,669 40
Preston Esque.....	60 00
Jacob Platt, swamp land commissioner.....	250 00
	<hr/>
	\$2,796 31

Also, the claim of Milissa Cooper *et al* for the refunding of one-third of the purchase money of certain real estate in Hancock county, Missouri, alleged to have been purchased by Berry W. Cooper, husband of such claimant, from the State alone, of the sinking fund sales, and a defective title conveyed. No evidence

showing a conveyance from the State to Cooper was adduced, but on the contrary the documentary proof shows that Cooper derived his title by purchase from one O'Brien.

Which was concurred in.

Report by Mr. Sleeth :

MR. PRESIDENT :

Your Committee on Judiciary, to whom was referred Senate Bill No. 320, an act to repeal an act entitled "An act to authorize railroad companies to occupy and use for railroad purposes the property of canal companies, with their consent," etc., have had the same under consideration, and have directed me to report the same back with the recommendation that the bill do pass.

Was placed on the calander.

Report by Mr. Johnston of Parke :

MR. PRESIDENT :

Your Committee on the Rights and Privileges of the Inhabitants of the State, to whom was referred House Bill No. 183, entitled "An act authorizing incorporated cities to reform and change their boundary lines so as to exclude therefrom suburban lots or tracts of land, and declaring an emergency," have had the same under consideration, and in accordance with the instructions of the Senate recommend the following amendments :

Amend by adding to the end of section 1 the following viz.: "Duly laid off or platted by or in behalf of the owner thereof, and recorded as lots within said city, or as an addition thereto, and also any platted lot or tract of land or part thereof, the plat whereof shall have been duly vacated according to law."

Also, by inserting after the word "shall" in 3d line of said section, the words "and the board of trustees of incorporated towns."

Also, to amend the 2d section as follows, by inserting after the word "writing" in line 4, the words "duly verified."

Also, amend said section by striking out of lines 5, 6, 7 and 8

the words "naming the plat in which the same is situated and the street by which the same is bounded, if there be any such plat or street;" also, by striking out all after the word petition, in line 14; also, by inserting after the word "city," in line 13, the words "or incorporated towns;" also, by adding after the word "city," in line 3, the word "town;" also, to amend the 3rd section by striking out in lines 5 and 6, the following: "After fully considering such petition and remonstrance" and inserting in lieu thereof the word "they;" also, amend 2d section by adding after the word "city," in line 10, the word "town;" also amend by adding the following, as section 4: No exclusion of any lot or tract of land from the boundary lines of any city or town in pursuance of this act shall exonerate the same from any city or town taxes or assessments heretofore legally imposed or charged thereon, but the same, unless duly paid or discharged, may be collected and enforced in like manner, or if this act had not been passed. And your committee recommend the further following amendments: Amend section 3 by inserting after the word "council," in line 1, the words "or board of trustees," and by inserting after the word "city," in line 8, the word "town;" also, by inserting after the word "council," in line 11, the words "or board of trustees;" also, by inserting after the word "city," in line 13, the words "or town." Your committee herewith return said bill and amendments to the Senate without any recommendation.

Was placed on the calendar.

Report by Mr. Peed.

MR. PRESIDENT:

The Committee on Judiciary, to whom was referred House Bill No. 229, being an act entitled "An act defining certain misdemeanors and defining penalties therefor," have had the same under consideration and direct me to report the same back to the Senate with the recommendation that said bill be laid on the table.

Was placed on the calendar.

Report by Mr. Peed.

MR. PRESIDENT:

The Committee on Judiciary, to whom was referred Senate Bill

No. 327, a bill for the further protection of miners, have had the same under consideration, and report the same back recommending that the bill do lie on the table.

Was placed on the calendar.

Report by Mr. Peed.

MR. PRESIDENT:

The Committee on Judiciary, to whom was referred Senate Bill No. 316, being an act entitled "An act to amend section 211 of an act entitled 'an act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in the courts of this State, to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice without distinction between law and equity,'" approved June 18, 1852, have had the same under consideration, and directed me to report the same back to the Senate with the recommendation that the said bill be laid on the table.

Was placed on the calendar.

Report by Mr. Peed.

MR. PRESIDENT:

The Committee on Judiciary, to whom was referred Senate Bill No. 251, a bill in relation to promissory notes, etc., have had the same under consideration, and recommend that the bill do lie on the table.

Was placed on the calendar.

Report by Mr. Howard.

MR. PRESIDENT:

The Committee on County and Township Business, to whom was referred Senate Bill No. 41, entitled "An act limiting the number of justices," etc., have considered the same, and direct me to report the same back with the following amendments: Strike out sections 2 and 3, and when so amended recommend its passage.

Was placed on the calendar.

Report by Mr. Howard.

MR. PRESIDENT:

The Committee on County and Township Business, to whom was referred House Bill No. 388, a bill authorizing the State Superintendent of Public Instruction to purchase libraries, etc., recommend that the bill do lie on the table.

Was placed on the calendar.

Mr. Slater moved to reconsider the vote whereby Senate Bill No. 348 failed to pass yesterday for the want of a constitutional majority.

Which was agreed to.

Mr. Boone moved to amend as follows:

On sixth page strike out from the word "and," 4th line, to the word "proceeding," 14th line, both words inclusive.

Mr. Johnston of Parke moved to recommit the bill and amendment to the Committee on Railroads.

Which was not agreed to.

The question being on the amendment of Mr. Boone,
It was agreed to.

The bill was considered engrossed and read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Beardsley, Boone, Chapman, Cree, Culbertson, Daggy, Davidson, Friedley of Lawrence, Givan, Grove, Hackleman, Harney, Hendricks, Hough, Howard, Humphries, Maxwell, Oliver, Rhodes, Ringo, Sarnighausen, Skinner, Slater, Underwood, Wilson and Winterbotham—26.

Those who voted in the negative were,

Messrs. Baxter, Bell, Bowman, Bunyan, Cardwell, Gooding,

Haworth, Johnston of Parke, LaRue, Major, Neff, Peed, Roe, Scott, Smith and Tobin—16.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

By consent, the bill was referred to the Committee on Titles.

Ordered, that the Secretary inform the House of the passage of the bill.

Report by Mr. Sleeth.

MR. PRESIDENT:

The Committee on Judiciary, to whom was referred Senate Bill No. 274, a bill to amend section 2 of an act entitled "An act to receive dues from private corporations, and to extend their immunities to all citizens who may organize on the same terms," approved February 25, 1859, have had the same under consideration and a majority of said committee have directed me to report the same back to the Senate with the recommendation that the same do lie on the table, and that the substituted bill do pass.

Senate Substitute Bill No 274, a bill to secure dues from private corporations, etc.

Was read a first time and placed on the calendar.

Mr. Winterbotham moved to suspend the constitutional rule requiring bills to be read on three several days, that Senate Bill No. 347 be taken up and read a second time by title and a third time by sections now.

The ayes and noes being taken under the rule,

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bell, Boone, Bowman, Bunyan, Cardwell, Chapman, Cree, Culbertson, Friedley of Lawrence, Givan, Gooding, Hackleman, Haworth, Henderson, Hough, Howard, Major, Maxwell, Neff, Oliver, Peed, Rhodes, Ringo, Roe, Sarnighausen,

Scott, Skinner, Slater, Sleeth, Smith, Tobin, Underwood and Winterbotham—35.

No Senator voting in the negative.

So the constitutional rule was suspended and Senate Bill No. 347 was read a second time by title, considered engrossed, and read a third time by sections.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bearss, Bell, Boone, Bowman, Bunnan, Cardwell, Chapman, Cree, Culbertson, Davidson, Friedley of Lawrence, Givan, Gooding, Grove, Hackleman, Harney, Haworth, Henderson, Hendricks, Hough, Howard, Humphries, Johnston of Parke, Maxwell, Neff, Oliver, Peed, Ringo, Roe, Sarnighausen, Scott, Skinner, Slater, Sleeth, Smith, Tobin, Underwood, Wilson and Winterbotham—41.

No Senator voting in the negative.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Ordered, that the Secretary inform the House of the passage of bill.

On motion, by Mr. Johnston of Parke, the Senate took a recess until 2 o'clock p. m.

AFTERNOON SESSION.

Senate re-assembled, President in the chair.

By unanimous consent, Mr. Culbertson introduced

Senate Bill No. 359. A bill to amend the 45th section of an act entitled "An act to divide the State into circuits for judicial purposes, fixing the time of holding courts therein, abolishing the Courts of Common Pleas and transferring the business thereof to the Circuit Court, etc.

Was read a first time and placed on the calendar.

Report by Mr. Stockslager.

MR. PRESIDENT:

Your Committee on Rights and Privileges of the Inhabitants of the State, to whom was referred Senate Bill No. 357, an act limiting the amount of recovery of judgments for attorneys' fees in certain cases, etc., have had the same under consideration and have directed me to report the same back with the recommendation that the same do pass.

Which was concurred in and the bill placed on the calendar.

Engrossed Senate Bill No. 321. A bill to provide for a general system of common schools, etc.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Baxter, Bell, Boone, Bowman, Bunyan, Cardwell, Chapman, Cree, Culbertson, Daggy, Davidson, Dykeman, Friedley of Lawrence, Friedley of Scott, Givan, Gooding, Grove, Hackleman, Harney, Haworth, Hendricks, Hough, Humphries, LaRue, Major, Maxwell, Neff, Rhodes, Ringo, Roe, Sarnighausen, Scott, Slater, Sleeth, Smith, Stockslager, Tobin, Underwood, Wilson and Winterbotham—40.

Those who voted in the negative were,

Messrs. Beardsley, Bearss, Howard and Peed—4.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Ordered, that the Secretary inform the House of the passage of the bill.

Report by Mr. Boone.

MR. PRESIDENT:

The Joint Committee on Titles, to whom was referred Senate Bill No. 348, have had the same under consideration, and have directed me to report the same back to the Senate with the following amendments to the title, viz.:

Strike from the the title the following: The word "and" in the 8th line, and all of the lines 9, 10 and 11 thereof, and when so amended recommend the adoption of the title.

Which was concurred in, and the the title as amended was then adopted.

Senate Bill No. 53. A bill to give married women their earnings.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bunyan, Cardwell, Daggy, Gooding, Hackleman, Haworth, Henderson, Hough, Howard, Johnston of Parke, Maxwell, Neff, Ringo, Scott, Slater, Stockslager, Tobin, Underwood and Wilson—21.

Those who voted in the negative were,

Messrs. Bell, Boone, Bowman, Chapman, Cree, Culbertson, Dykeman, Givan, Grove, Harney, Hendricks, Humphries, LaRue, Major, Peed, Roe, Sarnighausen, Skinner, Sleeth, Smith and Winterbotham—21.

So the bill failed to pass.

Message from the House by Mr. Holmes, Clerk thereof:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed the following concurrent resolution, to-wit:

Resolved by the House of Representatives, the Senate concurring, That there be appointed a joint standing committee of five, to consist of three from the House of Representatives, to be appointed by the Speaker of the House, and two from the Senate, to be appointed by the President of the Senate, to be denominated a Permanent Joint Standing Committee on Benevolent Institutions, and that they be required to visit once every six months each of the four State benevolent institutions situated in and around the city of Indianapolis, namely, the Blind, Insane, Deaf and Dumb, and Women's Reformatory, for the purpose of making a thorough examination and inspection of the management of said institutions, and if they should ascertain that any cruelty or ill-treatment is practiced towards any of the inmates thereof, or if the sanitary affairs are neglected in any manner, that they report the same to the trustees or commissioners of said institutions, who are hereby requested to remedy the same as soon as possible thereafter.

I am further directed by the House to inform the Senate that the House has passed Engrossed Senate Bill No. 103. An act to amend sections 95, 96 and 97 of an act providing for the settlement of decedents' estates, etc., approved June 17, 1852, with the following engrossed House amendments thereto:

1st. Insert the words "section 95" between the words "limit and when," in line 6, on page 3.

2d. Strike out of line 3, on page 5, the words "section 2" and insert the words "section 96."

3d. Strike out the words "section 3," where it occurs on page 6, and insert in their stead the words "section 97."

In which amendments of the House the Senate is requested to concur.

Engrossed Senate Bill No. 208. A bill authorizing judges of the Circuit and Superior Courts to appoint master commissioners and defining their duties, and fixing their compensation.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Boone, Chapman, Culbertson, Daggy, Harney, Hendricks, Humphries, Peed, Ringo, and Skinner—11.

Those who voted in the negative were,

Messrs. Baxter, Beardsley, Bearss, Bell, Bowman, Bunyan, Cree, Davidson, Dykeman, Friedley of Lawrence, Friedley of Scott, Givan, Gooding, Grove, Hackleman, Haworth, Hough, Howard, Johnston of Parke, LaRue, Major, Neff, Sarnighausen, Scott, Slater, Sleeth, Smith, Stockslager, Tobin, Underwood and Winterbotham—32.

So the bill failed to pass.

Engrossed Senate Bill No. 217. A bill defining certain misdemeanors, and prescribing penalties therefor.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bearss, Boone, Bowman, Bunyan, Cardwell, Chapman, Cree, Culbertson, Daggy, Davidson, Dykeman, Gooding, Hackleman, Haworth, Hendricks, Hough, Howard, Humphries, Johnston of Parke, Major, Maxwell, Neff, Ringo, Scott, Sleeth, Tobin, Underwood and Wilson—30.

Those who voted in the negative were,

Messrs. Bell, Friedley of Lawrence, Givan, Harney, Henderson,

LaRue, Peed, Sarnighausen, Slater, Smith, Stockslager and Winterbotham—12,

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Ordered, That the Secretary inform the House of the passage of the bill.

Engrossed Senate Bill No. 262. A bill to amend sections 44 and 97 of an act entitled "An act to provide for a general system of common schools, etc."

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bearss, Bell, Boone, Bowman, Bunyan, Cardwell, Chapman, Cree, Culbertson, Daggy, Davidson, Friedley of Lawrence, Friedley of Scott, Givan, Gooding, Grove, Hackleman, Harney, Haworth, Henderson, Hendricks, Hough, Howard, Humphries, Johnston of Parke, LaRue, Major, Maxwell, Neff, Oliver, Peed, Ringo, Roe, Sarnighausen, Scott, Skinner, Slater, Sleeth, Smith, Stockslager, Tobin, Underwood, Wilson and Winterbotham—46.

No Senator voting in the negative.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Ordered, that the Secretary inform the House of the passage of the bill.

Engrossed Senate Bill No. 336. A bill concerning submarine sites for light houses and other aids to navigation.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bearss, Bell, Boone, Bowman, Bunyan, Cardwell, Chapman, Cree, Culbertson, Daggy, Davidson, Friedley of Lawrence, Friedley of Scott, Givan, Gooding, Grove, Hackleman, Harney, Haworth, Henderson, Hendricks, Hough, Howard, Humphries, Johnston of Parke, LaRue, Major, Maxwell, Neff, Oliver, Peed, Ringo, Roe, Sarnighausen, Scott, Skinner, Slater, Sleeth, Smith, Stockslager, Tobin, Underwood, Wilson and Winterbotham—45.

No Senator voting in the negative.

So the bill passed.

The title as read was ordered to stand as the title of the bill.

Ordered, that the Secretary inform the House of the passage of the bill.

Engrossed Senate Bill No. 95. An act in relation to the laying out, opening, widening, altering and vacation of streets, alleys and highways, and for the straightening or altering of water courses by the cities of this State, etc.

Was read a third time.

The question being, shall the bill pass.

Those who voted in the affirmative were,

Messrs. Baxter, Bell, Boone, Bowman, Bunyan, Cardwell, Chapman, Culbertson, Daggy, Davidson, Friedley of Scott, Hackleman, Harney, Haworth, Henderson, Hendricks, Hough, Johnston of Parke, Major, Neff, Oliver, Rhodes, Sarnighausen, Scott, Skinner, Sleeth, Tobin, Underwood and Wilson—29.

Those who voted in the negative were,

Messrs. Bearss, Cree, Givan, Gooding, Grove, Howard, Humphries, LaRue, Maxwell, Peed, Slater, Stockslager and Winterbotham—13.

So the bill passed.

S. J.—62

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Ordered, That the Secretary inform the House of the passage of the bill.

Engrossed Senate Bill No. 147. A bill to authorize the purchase of toll bridges, plank roads, etc.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Bearss, Bell, Daggy, Friedley of Lawrence, Gooding, Harney, Haworth, Henderson, Hough, Howard, Johnston of Parke, LaRue, Maxwell, Neff, Oliver, Ringo, Roe, Scott, Sleeth, Tobin and Underwood—21.

Those who voted in the negative were,

Messrs. Beardsley, Bowman, Bunyan, Cardwell, Chapman, Cree, Davidson, Friedley of Scott, Givan, Grove, Hackleman, Major, Peed, Sarnighausen, Skinner, Slater, Smith, Wilson and Winterbotham—19.

So the bill failed to pass for want of a constitutional majority.

Engrossed Senate Bill No. 311. An act to authorize the United States to procure by purchase or condemnation lands within this State, in certain cases.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bearss, Bell, Boone, Bowman, Bunyan, Cardwell, Chapman, Cree, Culbertson, Daggy, Davidson, Dykeman, Friedley of Scott, Givan, Gooding, Grove, Hackleman, Harney,

Haworth, Henderson, Hendricks, Hough, Johnston of Parke, LaRue, Major, Maxwell, Neff, Oliver, Peed, Ringo, Roe, Sarnighausen, Scott, Skinner, Slater, Sleeth, Smith, Tobin, Wilson and Winterbotham—42.

Mr. Howard voting in the negative.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Ordered, that the Secretary inform the House of the passage of the bill.

Engrossed Senate Bill No. 283. An act to authorize the board of commissioners to appoint justices of the peace where vacancies may occur in said office.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bearss, Bell, Boone, Bowman, Bunnan, Cardwell, Chapman, Culbertson, Daggy, Dykeman, Friedley of Lawrence, Friedley of Scott, Givan, Gooding, Hackleman, Harney, Haworth, Henderson, Hendricks, Hough, Howard, Humphries, Johnston of Parke, LaRue, Major, Maxwell, Neff, Oliver, Peed, Ringo, Roe, Sarnighausen, Scott, Skinner, Sleeth, Stockslager, Tobin and Underwood—40.

Those who voted in the negative were,

Messrs. Slater and Winterbotham—2.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Ordered, that the Secretary inform the House of the passage of the bill.

Message from the Governor:

By direction of the Governor, I have the honor to transmit his communication nominating persons as Trustees of the Indiana State Normal School, and asking the Senate to approve their appointment by him.

EXECUTIVE DEPARTMENT,
INDIANAPOLIS, March 3, 1875.

Gentlemen of the Senate:

I nominate William D. Bynum, of Daviess county, and Alexander C. Hopkins, of Marion county, as Trustees of the Indiana State Normal School, to serve as such for a period of four years, Mr. Bynum to succeed Erastus W. H. Ellis, for the term beginning December 20, 1873, and Mr. Hopkins to succeed Timothy Nicholson, for the term beginning December 20, 1875, and respectfully ask that the Senate approve their appointment by me.

THOMAS A. HENDRICKS,
Governor.

On motion by Mr. Scott, the nominations were unanimously confirmed by the Senate.

Engrossed Senate Bill No. 142. An act to amend section 27 of the school law.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bearss, Bunyan, Cardwell, Chapman, Cree, Davidson, Dykeman, Friedley of Lawrence, Friedley of Scott, Givan, Hackleman, Harney, Haworth, Henderson, Hendricks, Hough, Humphries, Johnston of Parke, LaRue, Major, Maxwell, Oliver, Peed, Ringo, Roe, Sarnighausen, Scott, Skinner, Sleeth, Tobin and Winterbotham—33.

Those who voted in the negative were,

Messrs. Bowman, Culbertson, Howard, Slater and Winterbotham—5.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Ordered, that the Secretary inform the House of the passage of the bill?

Engrossed Senate Bill No. 30. A bill creating a department of statistica, and prescribing rules and regulations for the government of the same, etc.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Bell, Bunyan, Chapman, Daggy, Grove, Haworth, Henderson, Hough, Neff, Oliver, Sarnighausen, Scott, Skinner, Slater, Sleeth and Winterbotham—16.

Those who voted in the negative were,

Messrs. Baxter, Beardsley, Boone, Cardwell, Cree, Culbertson, Davidson, Friedley of Lawrence, Friedley of Scott, Givan, Gooding, Hackleman, Hendricks, Howard, Humphries, Johnston of Parke, LaRue, Major, Maxwell, Peed, Rhodes, Ringo, Smith, Tobin, and Wilson—25.

So the bill failed to pass.

Engrossed Senate Bill No. 207. An act to amend section 74 of an act defining misdemeanors, and prescribing penalties therefor.

Was read a third time.

By unanimous consent, on motion by Mr. Friedley of Lawrence, the emergency clause was stricken out.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bearss, Bell, Boone, Bowman, Bunnan, Cardwell, Chapman, Cree, Culbertson, Daggy, Davidson, Dykeman, Friedley of Lawrence, Friedley of Scott, Givan, Gooding, Grove, Hackleman, Harney, Haworth, Henderson, Hendricks, Hough, Howard, Johnston of Parke, LaRue, Major, Maxwell, Neff, Oliver, Peed, Rhodes, Ringo, Sarnighausen, Scott, Smith, Stockslager, Tobin and Wilson—42.

Senators Slater and Winterbotham voting in the negative.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Ordered, that the Secretary inform the House of the passage of the bill.

Engrossed Senate Bill No. 203. A bill to revise the pleading and forms in criminal actions, etc.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bearss, Bell, Boone, Bowman, Bunnan, Chapman, Cree, Culbertson, Daggy, Davidson, Dykeman, Friedley of Lawrence, Friedley of Scott, Givan, Gooding, Grove, Hackleman, Haworth, Henderson, Hough, Howard, Johnston of Parke, LaRue, Major, Maxwell, Neff, Oliver, Peed, Rhodes, Ringo, Roe, Sarnighausen, Scott, Skinner, Slater, Tobin, Underwood, Wilson and Winterbotham—40.

Senator Smith voting in the negative.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Ordered, that the Secretary inform the House of the passage of the bill.

Engrossed Senate Bill No. 247. A bill to provide for the repayment of certain soldiers' bounties erroneously paid into the State Treasury, etc.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Boone, Cardwell, Cree, Davidson, Dykeman, Friedley of Lawrence, Friedley of Scott, Gooding, Grove, Hackleman, Harney, Haworth, Henderson, Hendricks, Johnston of Parke, LaRue, Maxwell, Oliver, Peed, Ringo, Roe, Scott, Smith, Stockslager and Wilson—25.

Those who voted in the negative were,

Messrs. Baxter, Bearss, Bell, Bowman, Bunyan, Chapman, Culbertson, Givan, Hough, Howard, Humphries, Major, Neff, Sarnighausen, Slater, Sleeth, Underwood and Winterbotham—19.

So the bill failed to pass for want of a constitutional majority.

Engrossed Senate Bill No. 235. A bill to amend sections 5 and 6 of an act entitled "An act to amend an act to provide for a general system of common schools," etc.

Was read a third time.

On motion by Mr. Humphries, the bill was laid on the table.

Engrossed Senate Bill No. 88. A bill providing for the recording of Sheriffs' certificates in certain cases, and for the payment thereof.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Baxter, Bearss, Boone, Bowman, Bunyan, Cardwell, Chapman, Cree, Culbertson, Daggy, Davidson, Dykeman, Friedley of Lawrence, Grove, Hackleman, Harney, Haworth, Henderson, Hendricks, Hough, Humphries, Johnston of Parke, Major, Neff, Oliver, Peed, Rhodes, Ringo, Scott, Stockslager, Tobin, Underwood and Wilson—33.

Those who voted in the negative were,

Messrs. Howard, LaRue, Maxwell, Roe, Slater and Smith—6.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Ordered, that the Secretary inform the House of the passage of the bill.

Engrossed Senate Bill No. 171. An act to amend the first, second and third sections of an act entitled "An act regulating the sale of county property, and the letting of buildings and bridges, fences and monuments, and declaring an emergency," approved December 23, 1872.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bearss, Bell, Boone, Bowman, Bunyan, Cardwell, Chapman, Cree, Culbertson, Daggy, Davidson, Dykeman, Friedley of Lawrence, Friedley of Scott, Givan, Gooding, Hackleman, Haworth, Henderson, Hendricks, Hough, Howard, Humphries, Johnson of Parke, LaRue, Major, Maxwell, Neff, Oliver, Rhodes, Sarnighausen, Tobin, Underwood, Wilson and Winterbotham—36.

Those who voted in the negative were,

Messrs. Grove, Harney, Peed, Ringo, Roe, Scott, Slater, Smith and Stockslager—9.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Ordered, that the Secretary inform the House of the passage of the bill.

Engrossed Senate Bill No. 129. A bill for the redemption of real property sold on execution or order of sale, defining the rights of parties interested therein, providing remedies and repealing the law upon the subject of redemption," approved June 4, 1861.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bearss, Boone, Bowman, Bunyan, Cardwell, Chapman, Culbertson, Daggy, Friedley of Scott, Givan, Gooding, Grove, Hackleman, Harney, Haworth, Henderson, Hendricks, Hough, Howard, Humphries, Johnston of Parke, LaRue, Major, Maxwell, Neff, Oliver, Peed, Rhodes, Ringo, Roe, Scott, Slater, Smith, Stockslager, Tobin, Underwood, Wilson and Winterbothom—39.

Senator Davidson voting in the negative.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Ordered, that the Secretary inform the House of the passage of the bill.

Mr. Daggy called up Engrossed Senate Bill No. 107, a bill regulating the granting of divorces, etc., which failed to pass yesterday for want of a constitutional majority.

The question being shall the bill pass ?

Those who voted in the affirmative were,

Messrs. Beardsley, Bell, Chapman, Daggy, Friedley of Lawrence, Friedley of Scott, Givan, Gooding, Grove, Hackleman, Harney, Henderson, Hendricks, Howard, Humphries, Johnston of Parke, LaRue, Neff, Oliver, Peed, Rhodes, Scott, Slater, Sleeth, Smith, Stockslager, Tobin, Underwood, Wilson and Winterbotham—30.

Those who voted in the negative were,

Messrs. Baxter, Bearss, Boone, Bowman, Bunyan, Cardwell, Culbertson, Haworth, Hough, Major, Maxwell, Ringo, Roe, Sarnighausen and Skinner—15.

So the bill passed.

The question being shall the title as read stand as the title of the bill.

It was so ordered.

Ordered, that the Secretary inform the House of the passage of the bill.

Mr. Henderson called up Engrossed Senate Bill No. 231. A bill for the encouragement of manufacturing companies, which failed to pass on yesterday for want of a constitutional majority.

The question being shall the bill pass ?

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bearss, Bell, Boone, Bowman, Bunyan, Cardwell, Chapman, Daggy, Dykeman, Friedley of Scott, Givan, Gooding, Grove, Hackleman, Haworth, Henderson, Hendricks, Johnston of Parke, LaRue, Major, Maxwell, Oliver, Roe, Sarnighausen, Scott, Skinner, Slater, Smith, Tobin, Underwood, Wilson and Winterbotham—34.

Those who voted in the negative were,

Messrs. Culbertson, Harney, Hough, Howard, Humphries, Neff, Peed, Ringo and Stockslager—9.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Ordered, that the Secretary inform the House of the passage of the bill.

Engrossed Senate Bill No. 45. A bill in relation to the appointment of receivers, and to authorize appeals in such cases.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Beardsley, Bearss, Bell, Bowman, Chapman, Daggy, Davidson, Dykeman, Friedley of Lawrence, Friedley of Scott, Gooding, Grove, Henderson, Hendricks, Howard, Humphries, Johnston of Parke, Oliver, Sarnighausen, Scott, Skinner, Slater, Tobin, Underwood, Wilson and Winterbotham—26.

Those who voted in the negative were,

Messrs. Baxter, Boone, Bunyan, Cardwell, Culbertson, Givan, Haworth, Hough, LaRue, Major, Neff, Peed, Ringo and Roe—14.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Ordered, that the Secretary inform the House of the passage of the bill.

Message from the House by Mr. Holmes, Clerk thereof :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed the following engrossed bills, to-wit :

House Bill No. 323, entitled "An act prescribing the duties of County Commissioners in relation to the examination of the books and accounts of county officers.

Also, House Bill No. 305, entitled "An act supplemental and amendatory to section 136 of an act entitled 'an act to provide for a uniform assessment of property and for the collection and return of taxes thereon, and declaring an emergency,'" approved December 21, 1872.

Also, House Bill No. 329, entitled "An act to limit the powers of Township Trustees in incurring debts, and requiring him to designate certain days for transacting township business."

Also, House Bill No. 490, entitled "An act to prevent the trustee of any of the institutions therein named from borrowing money or contracting any indebtedness or making expenditures in the name of the State of Indiana in behalf of any such institutions except by authority of law as therein provided, and providing for the violation thereof."

Also, House Bill No. 481, entitled "An act in relation to County Auditor's reports of school revenue, prescribing penalties for the violation thereof, and declaring an emergency."

And said bills are herewith transmitted for the action of the Senate.

Mr. Bearss moved to take up Engrossed Senate Bill No. 39, a bill repealing the gravel road law, etc.

Which was agreed to.

The question being, on concurring in the report of the majority report of the Committee on Roads,

Mr. Bearss moved to amend the majority report by inserting therefor the minority report of the Committee on Roads.

Mr. Scott moved to strike from the majority report the clause "which lays the bill on the table."

Messrs. Slater and Hough demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bearss, Bell, Boone, Bunyan, Cardwell, Chapman, Daggy, Dykeman, Friedley of Lawrence, Givan, Gooding, Grove, Hackleman, Harney, Henderson, Hendricks, Howard, Humphries, LaRue, Major, Neff, Peed, Rhodes, Ringo, Sarnighausen, Scott, Smith, Tobin and Winterbotham—31.

Those who voted in the negative were,

Messrs. Bowman, Davidson, Hough, Haworth, Johnston of Parke, Maxwell, Roe, Slater, Sleeth, and Stockslager—10.

So the motion was agreed to.

Mr. Hough moved that the Senate do now adjourn.

The ayes and noes being demanded by five Senators,

Those who voted in the affirmative were,

Messrs. Beardsley, Friedley of Lawrence, Hough, Howard, Humphries, Maxwell, Slater, Underwood and Wilson—9.

Those who voted in the negative were,

Messrs. Baxter, Bearss, Bell, Boone, Bowman, Bunyan, Cardwell, Chapman, Culbertson, Daggy, Davidson, Dykeman, Givan, Gooding, Hackleman, Harney, Haworth, Henderson, Hendricks, Johnston of Parke, LaRue, Major, Neff, Oliver, Peed, Rhodes, Ringo, Roe, Sarnighausen, Scott, Sleeth, Stockslager, Tobin and Winterbotham—35.

So the motion to adjourn was not agreed to.

The question recurring on the motion of Mr. Bearss to substitute the minority report for the majority report,

Mr. Slater moved to indefinitely postpone the bill and report.

Messrs. Hough and Bearss demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Boone, Bowman, Culbertson, Davidson, Friedley of Lawrence, Hackleman, Haworth, Hendricks, Hough, Johnston of Parke, Maxwell, Roe, Sarnighausen, Slater, Stockslager and Underwood—16.

Those who voted in the negative were,

Messrs. Baxter, Beardsley, Bearss, Bell, Bunyan, Cardwell, Chapman, Daggy, Dykeman, Friedley of Scott, Givan, Gooding, Grove, Harney, Henderson, Howard, Humphries, LaRue, Major, Neff, Oliver, Peed, Rhodes, Ringo, Scott, Sleeth, Smith, Tobin, Wilson and Winterbotham—30.

So the motion was not agreed to.

The question being on the motion of Mr. Bearss,

Mr. Dykeman moved the previous question?

Which was seconded by the Senate.

The question being, shall the main question be now put?

It was so ordered.

The question being on the motion by Mr. Bearss to adopt the minority report,

The ayes and noes being taken under the rule,

Those voting in the affirmative were,

Messrs. Baxter, Beardsley, Bearss, Bell, Bunyan, Cardwell, Chapman, Dykeman, Givan, Gooding, Grove, Harney, Henderson, Humphries, LaRue, Major, Neff, Oliver, Peed, Rhodes, Ringo, Scott, Smith, Tobin and Winterbotham—25.

Those who voted in the negative were,

Messrs. Boone, Bowman, Culbertson, Davidson, Friedley of Lawrence, Hackleman, Haworth, Hendricks, Hough, Howard, Johnston

of Parke, Maxwell, Roe, Sarnighausen, Slater, Sleeth, Underwood and Wilson—18.

So the minority report was substituted.

The question now being on concurring in the report of the minority committee,

Messrs. Smith and Slater demanded the ayes and nays.

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bearss, Bell, Bunyan, Cardwell, Chapman, Dykeman, Givan, Gooding, Grove, Harney, Henderson, Howard, Humphries, LaRue, Major, Neff, Oliver, Peed, Rhodes, Ringo, Scott, Smith, Tobin, Wilson and Winterbotham—27.

Those who voted in the negative were,

Messrs. Bowman, Culbertson, Daggy, Davidson, Friedley of Lawrence, Hackleman, Haworth, Hendricks, Hough, Johnston of Parke, Maxwell, Roe, Sarnighausen, Slater, Sleeth, Stockslager and Underwood—17.

So the report was concurred in.

Mr. Chapman moved that bill be engrossed.

Mr. Slater moved that the Senate adjourn until 7:30 o'clock, this evening.

Mr. Chapman moved that the motion do lie on the table.

Which was agreed to.

The question recurring on the motion to engross the bill, Messrs. Peed and Hough demanded the ayes and nays.

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bearss, Bell, Bunyan, Cardwell, Chapman, Davidson, Dykeman, Givan, Gooding, Grove, Harney, Howard, Humphries, LaRue, Major, Neff, Oliver, Peed, Ringo, Scott, Smith, Wilson and Winterbotham—25.

Those who voted in the negative were,

Messrs. Boone, Bowman, Culbertson, Daggy, Friedley of Lawrence, Hackleman, Haworth, Henderson, Hendricks, Hough, Johnston of Parke, Maxwell, Sarnighausen, Slater, Sleeth, Stockslager and Underwood—17.

So the bill was ordered engrossed.

Mr. Hough moved that the Senate do now adjourn.

Which was not agreed to.

Mr. Friedley of Lawrence moved to reconsider the vote whereby Senate Bill No. 220, a bill to index the Wabash and Erie Canal, etc.

Mr. Dykeman moved to take up House Bills on third reading.

Which was agreed to.

Engrossed House Bill No. 237. A bill for an act legalizing the record and acknowledgment of deeds and mortgages heretofore recorded in any county of this State, when the official character of the officers taking the acknowledgments were not certified to as required by law, and authorizing the recording of such deeds, etc.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bearss, Bell, Boone, Bowman, Bunnan, Cardwell, Chapman, Culbertson, Daggy, Davidson, Dykeman, Friedley of Lawrence, Friedley of Scott, Givan, Gooding, Hackleman, Haworth, Henderson, Hendricks, Hough, Johnston of Parke, LaRue, Major, Maxwell, Neff, Ringo, Roe, Sleeth, Tobin, Underwood, Wilson and Winterbotham—34.

Those who voted in the negative were,

Messrs. Harney, Howard, Humphries, Scott and Slater—5.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Ordered, that the Secretary inform the House of the passage of the bill.

Mr. Gooding moved that the Senate do now adjourn.

Which was not agreed to.

On motion by Mr. Johnston of Parke, House Bill No. 453, (the Fee and Salary Bill,) was taken up and referred to the Committee of Fees and Salaries.

Engrossed Senate Bill No. 129. An act to amend an act to incorporate the Indiana Fire and Marine Insurance Company, and declaring an emergency.

Was read a third time.

Mr. Harney moved the previous question.

Which was seconded by the Senate.

The question being, shall the main question be now put?

It was so ordered.

By unanimous consent, Mr. Smith offered the following amendment:

That in all cases when execution shall issue against said corporation, the same shall be first levied on the goods, chattles, lands and tenements belonging to said corporation as its joint property, and on a return on such execution of no property found, or not a sufficient of property to satisfy said execution, then, and in that case, the individual property of each of the corporators who are or were stockholders at the time the debt, demand, or liability accrued shall be held for said debt to the amount of his, her, or their stock, and no further, but no execution shall be issued against any stockholders in their individual capacity until a sciri-facias shall be issued against and served on them to appear and show cause, if any they can, why execution shall not go against them, and upon such trial, the stockholders, or any one of them, may be permitted to plead that he was

not a stockholder at the time of contracting such debts, demands, or liability, or that the corporation was not liable for said debt, or any cause of legal defense.

Which was agreed to.

The question being shall the bill pass?

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bearss, Bell, Boone, Bowman, Bunyan, Cardwell, Chapman, Daggy, Davidson, Dykeman, Friedley of Scott, Givan, Gooding, Hackleman, Harney, Haworth, Henderson, Hendricks, Hough, Johnston of Parke, LaRue, Major, Maxwell, Neff, Oliver, Rhodes, Roe Scott, Slater, Sleeth, Smith, Tobin, Underwood and Wilson—36.

Those who voted in the negative were,

Messrs. Culbertson, Grove, Humphries, Peed, Ringo, and Winterbotham—6.

So the bill passed.

The question being shall the title as read stand as the title of the bill?

It was so ordered.

Ordered, that the Secretary inform the House of the passage of the bill.

Mr. Sleeth moved that the Senate do now adjourn.

Which was not agreed to.

Engrossed House Bill No. 275. An act to amend an act entitled "An act to divide the State into circuits for judicial purposes, fixing the time for holding the Courts of Common Pleas and transferring the business thereof to the Circuit Courts, and providing for the election of Judges and Prosecuting Attorneys in certain cases," approved March 6th, 1873, and creating the Thirty-ninth Judicial Circuit, providing for the appointment of a Judge therefor, and repealing all laws and parts of laws inconsistent herewith, and declaring an emergency.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were

Messrs. Baxter, Beardsley, Bearss, Chapman, Culbertson, Daggy, Dykeman, Friedley of Lawrence, Friedley of Scott, Gooding, Grove, Hackleman, Harney, Haworth, Henderson, Hendricks, Hough, Howard, Humphries, Johnston of Parke, LaRue, Major, Oliver, Peed, Rhodes, Ringo, Roe, Scott, Slater, Sleeth, Smith, Tobin, Underwood, Wilson and Winterbotham—35.

Those who voted in the negative were,

Messrs. Boone, Bowman, Bunyan, Cardwell, Davidson, Maxwell and Stockslager—7.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Ordered, that the Secretary inform the House of the passage of the bill.

Mr. Scott moved that the Senate take a recess until 7:30 o'clock this evening.

Mr. Peed moved to amend, that the Senate do now adjourn.

Which was not agreed to.

The question recurring on the motion of Mr. Scott,

Messrs. Johnston of Parke and Hough demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Boone, Bunyan, Cardwell, Chapman, Daggy, Dykeman, Friedley of Scott, Givan, Grove, Hackleman, Harney, Haworth, Howard, Humphries, Johnston of Parke, LaRue, Major, Maxwell, Neff, Rhodes, Roe, Scott, Sleeth, Tobin, Underwood and Winterbotham—28.

Those who voted in the negative were,

Messrs. Bell, Bowman, Culbertson, Davidson, Friedley of Lawrence, Gooding, Henderson, Hendricks, Hough, Oliver, Peed, Ringo, Skinner, Slater, Smith, Stockslager and Wilson—17.

So the motion was agreed to and the Senate took a recess until 7:30 o'clock this evening.

EVENING SESSION.

Senate re-assembled, and was called to order by the Secretary.

On motion by Mr. Neff, Mr. Chapman took the chair.

On motion by Mr. Bell, the order of business was suspended and House Bills on first reading were taken up.

Mr. Neff offered the following resolution :

WHEREAS, A copy of the statutes, drawn by the chairman of the Committee on Roads for the use of that Committee, was taken or stolen from the Committee rooms, and

WHEREAS, The chairman of such Committee is charged with the value of the same on the books of the Secretary of State; therefore be it

Resolved, That the said Chairman of the Committee on Roads be relieved from the payment of said statutes.

Mr. Smith moved that the resolution do lie on the table.

Which was not agreed to.

The resolution was then adopted.

Engrossed House Bill No 323. A bill prescribing the duties of county commissioners in relation to the examination of the books and accounts of county officers, etc.

Was read a first time and placed on the calendar.

Engrossed House Bill No. 481. A bill in relation to county auditor's reports of school revenue, prescribing penalties, etc.

Was read a first time and placed on the calendar.

Engrossed House Bill No. 305. A bill to provide for a uniform assessment of property, etc.

Was read a first time and placed on the calendar.

Engrossed House Bill No. 329. A bill to limit the powers of township trustees in incurring debts and requiring him to designate certain days for transacting township business.

Was read a first time and placed on the calendar.

Engrossed House Bill No. 489. A bill making general appropriations for the years 1875 and 1876, etc.

Was read a first time and referred to the Committee on Finance.

Engrossed House Bill No. 465. A bill authorizing the appointment of a short hand reporter in certain courts of records in this State, in counties containing a population of seventy thousand or more and prescribing the duties and compensation of such reporters.

Was read a first time and placed on the calendar.

Engrossed House Bill No. 392. A bill relating to common schools, providing for the election of trustees, distribution of school funds, the manner of determining what branches shall be taught, etc.

Was read a first time and placed on the calendar.

Engrossed House Bill No. 493. A bill to secure better treatment of the inmates of county poor houses.

Was read a first time and placed on the calendar.

Engrossed House Bill No. 490. A bill to prevent the trustees of any of the institutions therein named, from borrowing money or contracting any indebtedness, etc.

Was read a first time and referred to the Committee on the Rights and Privileges of the Inhabitants of the State.

Engrossed House Bill No. 296. A bill to amend section 205 of an

act entitled " An act to provide for the uniform assessment of property " etc.

Was read a first time and placed on the calendar.

Engrossed House Bill No. 266. A bill to protect the manufacturers of bottled mineral water, ale, cider and ginger pop.

Was read a first time and referred to the Committee on Judiciary.

Engrossed House Bill No. 491. A bill to legalize the official acts of the several boards of trustees of the town of North Vernon.

Was read a first time and placed on the calendar.

Engrossed House Bill No. 362. A bill defining the duties of administrators and executors in making reports and settling estates and declaring the duties of courts, therein, etc.

Was read a first time and placed on the calendar.

Engrossed House Bill No. 239. A bill to prevent the forfeiture of policies of insurance upon life, when the premiums have been paid in part, etc.

Was read a first time and placed on the calendar.

Engrossed House Bill No. 401. A bill to prevent political and municipal corporations from creating indebtedness for any purpose, in any amount exceeding five per cent of the amount of the value of taxable property within such corporations, and declaring an emergency.

Was read a first time and placed on the calendar.

Engrossed House Bill No. 343. A bill to amend section 3 of an act to authorize cities and towns to negotiate and sell bonds, etc., approved March 8, 1863.

Was read a first time and referred to the Committee on Education.

Engrossed House Bill No 492. A bill to raise revenue for state

and school purposes and an additional Hospital for the Insane, for the years 1875 and 1876.

Was read a first time and referred to the Committee on Finance.

Engrossed House Bill No. 433. A bill regulating the manufacture and sale of illuminating gas for the protection of gas consumers, establishing the office of gas commissioner, etc.

Was read a first time and referred to the Committee on Judiciary.

Engrossed House Bill No. 474. A bill to legalize the acts of board of trustees and other officers of incorporated towns in cases where the inspectors of elections have failed to make the return of the election of such officers within the time prescribed by law.

Was read a first time and placed on the calendar.

Engrossed House Bill No. 310. A bill to legalize bonds and other obligations issued by cities in aid of the construction of court houses within their limits.

Was read a first time and placed on the calendar.

Engrossed House Bill No. 264. A bill providing for appeal from the decisions of boards of commissioners.

Was placed on the calendar.

Engrossed House Bill No. 431. A bill to legalize the assessments and collection of taxes in the town of Danville.

Was read a first time and placed on the calendar.

Engrossed House Bill No. 409. A bill to provide for the organization of saving banks, etc.

Was read a first time and placed on the calendar.

Engrossed House Bill, No. 402. A bill to enable married women whose husbands are of insane minds, to convey real estate belonging to such married women.

Was read a first time, and placed on the calendar.

Engrossed House Bill No. 484. A bill to legalize the subscription

of \$45.000 by the city of Vincennes, Indiana, to the capital stock of the Vincennes Draw Bridge Company, and declaring an emergency.

Was read a first time, and placed on the calendar.

Engrossed House Bill No. 118. A bill to amend sections 33, 37 and 43, and supplemental section 6, of an act entitled "An act to provide for a general system of common schools, the officers thereof, and their respective powers and duties, and matters properly connected therewith, prescribing the fees, etc., etc."

Was read a first time, and placed on the calendar.

On motion by Mr. Sleeth, Engrossed House Bill No. 86, a bill to abolish the Twenty-seventh Judicial Circuit, and the criminal circuit courts therein, and to confer jurisdiction, in criminal cases, upon the civil circuit courts of Floyd county and Clark county, and transferring all cases pending in said criminal circuit courts to said civil courts, etc., was taken up and read a second time.

Mr. Peed moved to amend by striking out the emergency clause.

Which was agreed to and the bill placed on the calendar.

By consent, Mr. Harney introduced

Senate Bill No. 360. A bill for an act to authorize a married woman to have set apart for her use one-third of any lands which may have been sold and conveyed by her husband, in which she has not joined in the deed, etc.

Was read a first time and referred to the Committee on Judiciary.

By consent, Mr. Humphries introduced

Senate Bill No. 361. A bill to legalize the acts of the board of trustees of the town of Worthington.

Was read a first time and placed on the calendar.

Engrossed House Bill No. 89. A bill to authorize the organization of boards of trade and other commercial organizations, defining their powers, prescribing their duties, etc.

Was read a second time, the report of the Committee on Corporations concurred in and the amendments ordered engrossed.

Senate Bill No. 274. A bill to amend section 2 of an act entitled "An act to secure dues from private corporations, and to extend their immunities to all citizens who may organize on the same terms," approved February 25, 1859.

Was read a second time, the report of the Committee on Judiciary concurred in, and the bill ordered engrossed.

Mr. Peed moved to take up Engrossed House Bill No. 403.

Which was agreed to, and Engrossed House Bill No. 403, a bill legalizing the town of Tipton, and the official acts of the several boards of trustees and other officers, was read a second time and placed on the calendar.

Senate Bill No. 197. A bill to amend section 5 of an act entitled "An act supplementary and amendatory of an act entitled 'an act to provide for a uniform assessment of property,'" etc.

Was read a second time.

The question being, on concurring in the report of the Committee on County and Township Business,

Mr. Friedley of Lawrence, moved that the bill and report be recommitted to the Committee on Fees and Salaries, with amendments, with instructions to incorporate the amendments into the bill.

Which was agreed to.

On motion, by Mr. Scott, Engrossed House Bill No. 368, a bill providing for the incorporation of State, district and county horticultural associations, describing their powers, duties, privileges, etc.

Was taken up, read a first time and placed on the calendar.

On motion, by Mr. Givan, Engrossed House Bill No. 67, a bill authorizing change of name in certain educational institutions,

Was taken up, read a second time, the report of the Committee on Education concurred in and the amendments ordered engrossed.

Engrossed House Bill No. 224. A bill for an act to fix the time

for holding court in the counties comprising the Thirty-fifth Judicial Circuit, was read a second time, the report of the Select Committee concurred in and the bill placed on the calendar.

Engrossed House Bill No. 410. A bill legalizing the acts of the Boards of Trustees of incorporated towns in certain cases.

Was read the second time, the report of the Committee on Judiciary concurred in and the bill ordered engrossed.

Engrossed House Bill No. 172. A bill to legalize dissection of human bodies, was read the second time and placed on the calendar.

Mr. Bell moved to suspend the constitutional rule requiring bills to be read on three several days, that engrossed House Bill No. 293 may be read a second time by title.

The ayes and noes being taken under the rule,

Those voting in the affirmative were,

Messrs. Baxter, Beardsley, Bell, Boone, Bowman, Bunyan, Cardwell, Chapman, Culbertson, Daggy, Friedley of Lawrence, Friedley of Scott, Givan, Grove, Hackleman, Harney, Haworth, Henderson, Howard, Humphries, LaRue, Major, Maxwell, Neff, Rhodes, Oliver, Peed, Ringo, Roe, Sarninghausen, Scott, Skinner, Sleeth, Tobin, Underwood and Wilson—36.

No Senator voting in the negative.

So the constitutional rule was suspended, and Engrossed House Bill No. 293, a bill to legalize the act of County Commissioners in loaning money and purchasing real estate, and to authorize them to sell and convey lands heretofore conveyed to said county, and take obligations and securities therefor, etc., was read a second time by title.

The question being, on concurring in the report of the committee,

It was not agreed to, and the bill was placed on the calendar.

Mr. Bell moved that the constitutional rule, requiring bills to be

read on three several days, be suspended, that engrossed House Bill No. 138, may be read a second time by title, now.

The ayes and noes being taken under the rule.

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bell, Boone, Bowman, Cardwell, Chapman, Culbertson, Daggy, Friedley of Lawrence, Friedley of Scott, Givan, Grove, Hackleman, Harney, Haworth, Henderson, Howard, Hendricks, Hough, Humphries, LaRue, Major, Maxwell, Oliver, Peed, Rhodes, Ringo, Roe, Sarnighausen, Scott, Skinner, Sleeth, Tobin, Underwood and Wilson—36.

No Senator voting in the negative.

So the constitutional rule was suspended, and Engrossed House Bill No. 138, a bill for the destruction of wolves and foxes, repealing all laws and parts of laws inconsistent therewith, and declaring an emergency, was read a second time by title, the report of the Committee on County and Township Business concurred in, and bill placed on the calendar.

Mr. Bell moved that the constitutional rule requiring bills to be read on three several days be suspended, that Engrossed House Bill No. 77 may be read a second time by title now.

The ayes and noes being taken under the rule,

Those voting in the affirmative were,

Messrs. Baxter, Beardsley, Bell, Boone, Bowman, Bunyan, Cardwell, Chapman, Culbertson, Daggy, Friedley of Lawrence, Friedley of Scott, Givan, Grove, Hackleman, Harney, Haworth, Henderson, Howard, Humphries, LaRue, Major, Maxwell, Neff, Oliver, Peed, Rhodes, Ringo, Roe, Sarnighausen, Scott, Skinner, Sleeth, Tobin, Underwood and Wilson—35.

No Senator voting in the negative.

So the constitutional rule was suspended, and Engrossed House Bill No. 77, a bill providing for publication of official matter in German newspapers, etc., was read a second time by title, the

report of the Committee on Printing concurred in, and the bill ordered engrossed.

Mr. Bell moved that the constitutional rule requiring bills to be read by sections on three several days be suspended, that House Bill No. 153 may be read a second time by title now.

The ayes and noes being taken under the rule.

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bell, Boone, Bowman, Bunyan, Chapman, Culbertson, Daggy, Friedley of Lawrence, Friedley of Scott, Givan, Grove, Hackleman, Harney, Haworth, Henderson, Howard, Humphries, LaRue, Major, Maxwell, Neff, Oliver, Peed, Rhodes, Ringo, Roe, Sarnighausen, Scott, Skinner, Sleeth, Tobin, Underwood and Wilson—35.

No Senator voting in the negative.

So the constitutional rule was suspended.

Engrossed House Bill No. 153. A bill to legalize the acts of the town of Portland, in Jay county, was read a second time by title, the report of the Committee on Corporations concurred in, and the bill placed on the calendar.

Mr. Bell moved that the constitutional rule requiring bills to be read by sections on three several days be suspended, that House Bill No. 109 may be read a second time by title now.

The ayes and noes being taken under the rule,

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bell, Boone, Bowman, Bunyan, Cardwell, Chapman, Culbertson, Daggy, Friedley of Lawrence, Friedley of Scott, Givan, Grove, Hackleman, Harney, Haworth, Henderson, Howard, Humphries, LaRue, Major, Maxwell, Neff, Oliver, Peed, Rhodes, Ringo, Roe, Sarnighausen, Scott, Skinner, Sleeth, Tobin, Underwood and Wilson—36.

No Senator voting in the negative.

So the constitutional rule was suspended and Engrossed House Bill No. 109, a bill to provide for the removal of line fences in certain cases and prescribing the duties of Justices, Constables and applicants in relation thereto, etc., was read a second time by title, the report of the Committee on County and Township Business concurred in and bill placed on the calendar.

Mr. Bell moved the constitutional rule requiring bills to be read by sections on three several days be suspended, that House Bill No. 201 may be read a second time by title now.

The ayes and noes being taken under the rule,

Those voting in the affirmative were,

Messrs. Baxter, Beardsley, Bell, Boone, Bowman, Bunyan, Cardwell, Chapman, Culbertson, Daggy, Friedley of Lawrence, Friedley of Scott, Givan, Grove, Hackleman, Harney, Haworth, Henderson, Howard, Humphries, LaRue, Major, Maxwell, Neff, Oliver, Peed, Rhodes, Ringo, Roe, Sarnighausen, Scott, Skinner, Sleeth, Tobin, Underwood and Wilson—36.

No Senator voting in the negative.

So the constitutional rule was suspended and Engrossed House Bill No. 201, a bill to regulate the fees of officers, etc., was read a second time by title, the report of the Committee on County and Township Business concurred, in and the bill placed on the calendar.

Mr. Bell moved that the constitutional rule requiring bills to be read by sections on three several days be suspended that House Bill No. 339 may be read a second time by title now.

The ayes and noes being taken under the rule,

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bell, Boone, Bowman, Bunyan, Cardwell, Chapman, Culbertson, Daggy, Friedley of Lawrence, Friedley of Scott, Givan, Grove, Hackleman, Harney, Haworth,

Henderson, Howard, Humphries, LaRue, Major, Maxwell, Neff, Oliver, Peed, Rhodes, Ringo, Roe, Sarnighausen, Scott, Skinner, Slater, Tobin, Underwood and Wilson—36.

No Senator voting in the negative.

So the constitutional rule was suspended and Engrossed House Bill No. 339, a bill for the encouragement of manufacturing companies was read a second time by title and placed on the calendar.

Mr. Bell moved that the constitutional rule requiring bills to be read by sections on three several days be suspended, that House Bill No. 143 may be read a second time by title now.

The ayes and noes being taken under the rule,

Those who voted in the affirmative were

Messrs. Baxter, Beardsley, Bell, Boone, Bowman, Bunyan, Cardwell, Chapman, Culbertson, Daggy, Friedley of Lawrence, Friedley of Scott, Givan, Grove, Hackleman, Harney, Haworth, Henderson, Howard, Humphries, LaRue, Major, Maxwell, Neff, Oliver, Peed, Rhodes, Ringo, Roe, Sarnighausen, Scott, Skinner, Sleeth, Tobin, Underwood and Wilson—36.

No Senator voting in the negative.

So the constitutional rule was suspended, and Engrossed House Bill No. 143, an act appropriating money to pay the existing indebtedness of the State Normal School at Terre Haute, Ind., and declaring an emergency, was read a second time by title, the report of Committee on Finance concurred in and the bill laid on the table.

Mr. Bell moved that the constitutional rule requiring bills to be read by sections on three several days be suspended, that House Bill No. 240 may be read a second time by title, now.

The ayes and noes being taken under the rule,

Those voting in the affirmative were,

Messrs. Baxter, Beardsley, Bell, Boone, Bowman, Bunyan, Cardwell, Chapman, Culbertson, Daggy, Friedley of Lawrence, Friedley of Scott, Givan, Grove, Hackelman, Harney, Haworth, Henderson, Howard, Humphries, LaRue, Major, Maxwell, Neff, Oliver, Peed, Rhodes, Ringo, Roe, Sarnighausen, Scott, Skinner, Sleeth, Tobin, Underwood and Wilson—36.

No Senator voting in the negative.

So the constitutional rule were suspended, and Engrossed House Bill No. 240, a bill providing for the election of railroad directors, etc., was read a second time by title, the report of the Committee on Railroads was concurred in.

Mr. Bell moved that the constitutional rule, requiring bills to be read by sections on three several days, be suspended, that House Bill No. 277, may be read a second time by title, now.

The ayes and noes being taken under the rule.

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bell, Boone, Bowman, Bunyan, Cardwell, Chapman, Culbertson, Daggy, Friedley of Lawrence, Friedley of Scott, Givan, Grove, Hackleman, Harney, Haworth, Henderson, Howard, Humphries, LaRue, Major, Maxwell, Neff, Oliver, Peed, Rhodes, Ringo, Roe, Sarnighausen, Scott, Skinner, Sleeth, Tobin, Underwood and Wilson—36.

No Senator voting in the negative.

So the constitutional rule was suspended and Engrossed House Bill No. 277, a bill to amend section 16 of an act entitled "An act concerning promissory notes," etc., was read a second time by title, the report of the Committee on Judiciary concurred in and the bill laid on the table.

Mr. Bell moved that the constitutional rule requiring bills to be

read by sections on three several days be suspended, that House Bill No. 52 may be read a second time by title now.

The ayes and noes being taken under the rule,

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bell, Boone, Bowman, Bunyan, Cardwell, Chapman, Culbertson, Daggy, Friedley of Lawrence, Friedley of Scott, Givan, Grove, Hackleman, Harney, Haworth, Henderson, Howard, Humphries, LaRue, Major, Maxwell, Neff, Oliver, Peed, Ringo, Roe, Sarnighausen, Scott, Skinner, Sleeth, Tobin, Underwood and Wilson—36.

No Senator voting in the negative.

So the constitutional rule was suspended, and Engrossed House Bill No. 52, an act amending section 1 of an act amending sections 15 and 16 of an act for the incorporation of towns, etc., was read a second time by title, the report of the Committee on Corporations concurred in and the amendments ordered engrossed.

Mr. Bell moved that the constitutional rule requiring bills to be read by sections on three several days, be suspended, that House Bill No. 294 may be read a second time by title now.

The ayes and noes being taken under the rule,

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bell, Boone, Bowman, Bunyan, Cardwell, Chapman, Culbertson, Daggy, Friedley of Lawrence, Friedley of Scott, Givan, Grove, Hackleman, Harney, Haworth, Henderson, Howard, Humphries, LaRue, Major, Maxwell, Neff, Oliver, Peed, Rhodes, Ringo, Roe, Sarnighausen, Scott, Skinner, Sleeth, Tobin, Underwood and Wilson—36.

No Senator voting in the negative.

So the constitutional rule was suspended, and Engrossed House Bill No. 294, an act amendatory of the 467th section of the act to

amend, revise, simplify and abridge the rules of practice, pleadings and forms in civil cases in the courts of the State, etc., was read a second time by title, the report of the Committee on Judiciary concurred in.

Mr. Bell moved the constitutional rule, requiring bills to be read by sections, on three several days be suspended, that House Bill No. 212 may be read a second time by title, now.

The ayes and noes being taken under the rule.

Those voting in the affirmative were,

Messrs. Baxter, Beardsley, Bell, Boone, Bowman, Bunyan, Cardwell, Chapman, Culbertson, Daggy, Friedley of Lawrence, Friedley of Scott, Givan, Grove, Hackleman, Harney, Haworth, Henderson, Howard, Humphries, LaRue, Major, Maxwell, Neff, Oliver, Peed, Rhodes, Ringo, Roe, Sarnighausen, Scott, Skinner, Sleeth, Tobin, Underwood and Wilson—35.

No Senator voting in the negative.

So the constitutional rule was suspended, and Engrossed House Bill No. 212, an act to amend section 34, of an act entitled, "an act defining misdemeanors and prescribing punishment therefor, approved June 14, 1852," was read a second time by title, the report of the Committee on Education concurred in, and the bill laid on the table.

Mr. Bell moved that the constitutional rule requiring bills to be read by sections on three several days be suspended, that Engrossed House Bill No. 165 may be read a second time by title now.

The ayes and noes being taken under the rule,

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bell, Boone, Bowman, Bunyan, Cardwell, Chapman, Culbertson, Daggy, Friedley of Lawrence, Friedley of Scott, Givan, Grove, Hackleman, Harney, Haworth, Henderson, Howard, Humphries, LaRue, Major, Maxwell, Neff, Oliver,

Peed, Rhodes, Ringo, Roe, Sarnighausen Scott, Skinner, Sleeth, Tobin, Underwood and Wilson—36.

No Senator voting in the negative.

So the constitutional rule was suspended, and Engrossed House Bill No. 165, an act to amend sections 30, 31 and 35 of an act for the incorporation of towns, etc., approved June 11, 1852, was read a second time by title, the report of the Committee on Corporations concurred in and the amendments ordered engrossed.

Mr. Bell moved that the constitutional rule requiring bill to be read by sections on three several days be suspended, that House Bill No. 290, may be read a second time by title now.

The ayes and noes being taken under the rule,

Those voting in the affirmative were,

Messrs. Baxter, Beardsley, Bell, Boone, Bowman, Bunyan, Cardwell, Culbertson, Daggy, Friedley of Lawrence, Friedley of Scott, Givan, Grove, Hackleman, Harney, Haworth, Henderson, Howard, Humphries, LaRue, Major, Maxwell, Neff, Oliver, Peed, Rhodes, Ringo, Roe, Sarnighausen, Scott, Skinner, Sleeth, Tobin, Underwood and Wilson—35.

No Senator voting in the negative.

So the constitutional rule was suspended.

Engrossed House Bill No. 290. An act regulating the working of coal mines, etc., was read a second time by title, the report of the Committee on Mines and Mining concurred in and the bill ordered engrossed.

Mr. Bell moved that the constitutional rule, requiring bills to be read by sections on three several days, be suspended that House Bill No. 460 may be read a second time by title now.

The ayes and noes being taken under the rule,

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bell, Boone, Bowman, Bunyan, Cardwell, Chapman, Culbertson, Daggy, Friedley of Lawrence, Friedley of Scott, Givan, Grove, Hackleman, Harney, Haworth, Henderson, Howard, Humphries, Maxwell, Neff, Oliver, Peed, Rhodes, Ringo, Roe, Sarnighausen, Scott, Skinner, Sleeth, Tobin, Underwood and Wilson—35.

No Senator voting in the negative.

So the constitutional rule was suspended and Engrossed House Bill No. 460, an act to amend section 1 of an act to incorporate the Widows' and Orphans' Home of Indianapolis, changing the name of said corporation, was read a second time by title and placed on the calendar.

Mr. Bell moved that the constitutional rule requiring bills to be read by sections, on three several days be suspended, that House Bill No. 414, may be read a second time by title now.

The ayes and noes being taken under the rule.

Those voting in the affirmative were,

Messrs. Beardsley, Bell, Boone, Bowman, Bunyan, Cardwell, Chapman, Culbertson, Daggy, Friedley of Lawrence, Friedley of Scott, Givan, Grove, Hackelman, Harney, Haworth, Henderson, Howard, Humphries, LaRue, Major, Maxwell, Neff, Rhodes, Oliver, Peed, Ringo, Roe, Sarnighausen, Scott, Skinner, Sleeth, Tobin, Underwood and Wilson—35.

No Senator voting in the negative.

So the constitutional rule was suspended, and Engrossed House Bill No. 414, an act to provide for the speedy collection of money due to laborers for labor performed by them for their employers, was read a second time by title, the report of the Committee on the Judiciary concurred in and the bill placed on the calendar.

Mr. Bell moved that the constitutional rule, requiring bills to be

read by sections, on three several days be suspended, so that House Bill No. 70, may be read a second time by title now.

The ayes and noes being taken under the rule.

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bell, Boone, Bowman, Bunyan, Cardwell, Chapman, Culbertson, Daggy, Friedley of Lawrence, Friedley of Scott, Givan, Grove, Hackleman, Harney, Haworth, Henderson, Howard, Humphries, LaRue, Major, Maxwell, Oliver, Peed, Rhodes, Ringo, Roe, Sarnighausen, Scott, Skinner, Sleeth, Tobin, Underwood and Wilson—36.

No Senator voting in the negative.

So the constitutional rule was suspended, and Engrossed House Bill No. 70, an act to define bribery in certain cases, and to prescribe punishment for persons bribed to vote, was read a second time, the report of the Committee on Judiciary concurred in and the bill placed on the calendar.

Mr. Bell moved that the constitutional rule requiring bills to be read by sections on three several days be suspended, that Engrossed House Bill No. 407 may be read a second time by title now.

The ayes and noes being taken under the rule,

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bell, Boone, Bowman, Bunyan, Cardwell, Chapman, Culbertson, Daggy, Friedley of Lawrence, Friedley of Scott, Givan, Grove, Hackleman, Harney, Haworth, Henderson, Howard, Hendricks, Hough, Humphries, LaRue, Major, Maxwell, Oliver, Peed, Rhodes, Ringo, Roe, Sarnighausen, Scott, Skinner, Sleeth, Tobin, Underwood and Wilson—36.

No Senator voting in the negative.

So the constitutional rule was suspended, and Engrossed House Bill No. 407, an act to legalize the official acts of the board of

trustees of the town of Spencer, Owen county, and was read a second time by title, and placed on the calendar.

Mr. Bell moved that the constitutional rule requiring bills to be read by sections on three several days be suspended, that Engrossed House Bill No. 214 may be read a second time by title now.

The ayes and noes being taken under the rule,

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bell, Boone, Bowman, Bunyan, Cardwell, Chapman, Culbertson, Daggy, Friedley of Lawrence, Friedley of Scott, Givan, Grove, Hackleman, Harney, Haworth, Henderson, Howard, Hendricks, Hough, Humphries, LaRue, Major, Maxwell, Oliver, Peed, Rhodes, Ringo, Roe, Sarnighausen, Scott, Skinner, Sleeth, Tobin, Underwood and Wilson—36.

No Senator voting in the negative.

So the constitutional rule was suspended and Engrossed House Bill No. 214, an act to amend section 50 of the act for the incorporation of towns, etc., was read a second time, the report of the Committee on County and Township Business concurred in and the bill placed on the calendar.

Mr. Bell moved that the constitutional rule, requiring bills to be read by sections on three several days, be suspended that Engrossed House Bill No. 419 may be read a second time by title now.

The ayes and noes being taken under the rule,

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bell, Boone, Bowman, Bunyan, Cardwell, Chapman, Culbertson, Daggy, Friedley of Lawrence, Friedley of Scott, Givan, Grove, Hackleman, Harney, Haworth, Henderson, Howard, Hendricks, Hough, Humphries, LaRue, Major, Maxwell, Oliver, Peed, Rhodes, Ringo, Roe, Sarnighausen, Scott, Skinner, Sleeth, Tobin, Underwood and Wilson—36.

No Senator voting in the negative.

So the constitutional rule was suspended, and Engrossed House Bill No. 419, an act prescribing some of the duties of County Trustees, Auditors, County Commissioners, providing for semi-annual settlement of County Treasurer and fixing penalties for violation thereof, was read a second time by title, report of the Committee on Finance concurred in, and the bill placed on the calendar.

Mr. Boone moved that the constitutional rule requiring the reading of bills by sections on three several days be suspended, that House Bill No. 183 may be read a second time by title now.

The ayes and noes being taken under the rule,

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bell, Boone, Bowman, Bunyan, Cardwell, Chapman, Culbertson, Daggy, Friedley of Lawrence, Friedley of Scott, Givan, Grove, Hackleman, Harney, Haworth, Henderson, Howard, Hendricks, Hough, Humphries, LaRue, Major, Maxwell, Oliver, Peed, Rhodes, Ringo, Roe, Sarnighausen, Scott, Skinner, Sleeth, Tobin, Underwood and Wilson—36.

No Senator voting in the negative.

So the constitutional rule was suspended and Engrossed House Bill No. 183, an act authorizing incorporated cities to reform and change their boundaries, etc., was read a second time by title, the report of the Committee on Rights and Privileges concurred in, and the amendments ordered engrossed and bill placed on the calendar.

Mr. Bell moved that the constitutional rule requiring bills to be read by sections be suspended, that House Bill No. 261 may be read a second time by title now.

The ayes and noes being taken under the rule,

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bell, Boone, Bowman, Bunyan, Cardwell, Chapman, Culbertson, Daggy, Friedley of Lawrence, Friedley of Scott, Givan, Grove, Hackleman, Harney, Haworth, Henderson,

Howard, Humphries, LaRue, Major, Maxwell, Neff, Oliver, Peed, Rhodes, Ringo, Roe, Sarnighausen, Scott, Skinner, Sleeth, Underwood and Wilson—36.

No Senator voting in the negative.

So the constitutional rule was suspended, and Engrossed House Bill No. 261, an act authorizing the change of county boundaries, and declaring an emergency, was read a second time by title, the report of the Committee on Judiciary concurred in, and the amendments ordered engrossed, and the bill placed on the calendar.

Mr. Bell moved that the constitutional rule requiring bills to be read by sections be suspended, that House Bill No. 260 may be read a second time by title now.

The ayes and noes being taken under the rule,

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bell, Boone, Bowman, Bunyan, Cardwell, Chapman, Culbertson, Daggy, Friedley of Lawrence, Friedley of Scott, Givan, Grove, Hackleman, Harney, Haworth, Henderson, Howard, Hendricks, Hough, Humphries, LaRue, Major, Maxwell, Oliver, Peed, Rhodes, Ringo, Roe, Sarnighausen, Scott, Skinner, Sleeth, Tobin, Underwood and Wilson—36.

No Senator voting in the negative.

So the constitutional rule was suspended and Engrossed House Bill No. 247, an act amending section 2 of the act amend the act providing for a geological survey, etc., was read a second time by title, the report of the Committee on Judiciary concurred in, and bill placed on the calendar.

Mr. Bell moved that the constitutional rule requiring bills to be read by sections be suspended, that House Bill No. 388 may be read a second time by title now.

The ayes and noes being taken under the rule,

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bell, Boone, Bowman, Bunyan, Cardwell, Chapman, Culbertson, Daggy, Friedley of Lawrence, Friedley of Scott, Givan, Grove, Hackleman, Harney, Haworth, Henderson, Howard, Hendricks, Hough, Humphries, LaRue, Major, Maxwell, Oliver Peed, Rhodes, Ringo, Roe, Sarnighausen, Scott, Skinner, Sleeth, Tobin, Underwood and Wilson—36.

No Senator voting in the negative.

So the constitutional rule was suspended and Engrossed House No. 388, an act authorizing the superintendent of public instruction to purchase libraries for certain townships, etc., was read a second time, the report of the Committee on County and Township Business concurred in, and the bill laid on the table.

Mr. Bell moved that the constitutional rule requiring bills to be read by sections be suspended, that House Bill No. 284 may be read a second time by title now.

The ayes and noes being taken under the rule,

Those voting in the affirmative were,

Messrs. Baxter, Beardsley, Bell, Boone, Bowman, Bunyan, Cardwell, Chapman, Culbertson, Daggy, Friedley of Lawrence, Friedley of Scott, Givan, Grove, Hackleman, Harney, Haworth, Henderson, Howard, Hendricks, Hough, Humphries, LaRue, Major, Maxwell, Oliver, Peed, Rhodes, Ringo, Roe, Sarnighausen, Scott, Skinner, Sleeth, Tobin, Underwood and Wilson—36.

No Senator voting in the negative.

So the constitutional rule was suspended, and Engrossed House Bill No. 284, an act providing for the incorporation of public or private cemeteries already laid out, etc., was read a second time by title, the report of the Committee on Corporations concurred in, and the bill placed on the calendar.

Mr. Bell moved that the constitutional rule requiring bills to be read by sections, be suspended, that House Bill No. 238, may be read a second time by title, now.

The ayes and noes being taken under the rule,

Those voting in in the affirmative were,

Messrs. Baxter, Beardsley, Bell, Bowman, Bunyan, Cardwell, Chapman, Culbertson, Daggy, Friedley of Lawrence, Friedley of Scott, Givan, Grove, Hackelman, Harney, Haworth, Henderson, Howard, Humphries, LaRue, Major, Maxwell, Neff, Oliver, Peed, Rhodes, Ringo, Roe, Sarnighausen, Scott, Skinner, Sleeth, Tobin, Underwood and Wilson—36.

No Senator voting in the negative.

So the constitutional rule was suspended, and Engrossed House Bill No. 238, an act to fix the times for holding Circuit Court in the Fourth Judicial Circuit, etc., was read a second time by title, the report of the Committee on Organization of Courts concurred in, and the bill placed on the calendar.

Mr. Bell moved that the constitutional rule requiring bills to be read by sections on three several days be suspended, that House Bill No. 250 may be read a second time by title now.

The ayes and noes being taken under the rule,

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bell, Boone, Bowman, Bunyan, Cardwell, Chapman, Culbertson, Daggy, Friedley of Lawrence, Friedley of Scott, Givan, Grove, Hackleman, Harney, Haworth, Henderson, Howard, Hough, Humphries, LaRue, Major, Maxwell, Oliver, Peed, Rhodes, Ringo, Roe, Sarnighausen, Scott, Skinner, Sleeth, Tobin, Underwood and Wilson—36.

No Senator voting in the negative.

So the constitutional rule was suspended and Engrossed House

Those who voted in the affirmative

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June 17, 1859
Committee

Messrs. Baxter, Beardsley, Bell, Boon
well, Chapman, Culbertson, Daggy, F.
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Howard, Hendricks, Hough, Hump
Oliver Peed, Rhodes, Ringo, R
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No Senator voting in the n

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Mr. Bell moved
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to enable owners of wet lands to drain and
., was read a second time by title, the report of the
Swamp Lands concurred in and the amendments

Mr. [redacted] grossed.

Mr. Bell moved that the constitutional rule requiring bills to be read by sections on three several days be suspended, that House Bill No. 16 may be read a second time by title now.

The ayes and noes being taken under the rule,

Those who voted in the affirmative were

Messrs. Baxter, Beardsley, Bell, Boone, Bowman, Bunyan, Cardwell, Chapman, Culbertson, Daggy, Friedley of Lawrence, Friedley of Scott, Givan, Grove, Hackleman, Harney, Haworth, Henderson, Howard, Humphries, LaRue, Major, Maxwell, Oliver, Peed,

Rhodes, Ringo, F
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*Friedley of Scott, Givan
Henderson, Howard
Oliver, Peed, Rhodes
Sleeth, Tobin*

Bowman, Bunyan, Card-
of Lawrence, Friedley
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Maxwell, Oliver,
Skinner, Sleeth,

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Those who v.

Messrs. Baxter, Beardsley, Bell,
well, Chapman, Culbertson, Daggy, Fri-
of Scott, Givan, Grove, Hackleman, Harne,
Howard, Hough, Humphries, LaRue, Major,
Peed, Rhodes, Ringo, Roe, Sarnighausen, Scott,
Tobin, Underwood and Wilson—36.

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bill

No Senator voting in the negative.

So the constitutional rule was suspended and Engrossed House
Bill No. 355, an act to amend the 18th section of an act concerning
the partition of lands, was read a second time and placed on the
calendar.

Mr. Bell moved that the constitutional rule requiring bills to be
read by sections on three several days be suspended, that House Bill
No. 364 may be read a second time by title now.

The ayes and noes being taken under the rule,

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bell, Boone, Bowman, Bunyan, Card-
well, Chapman, Culbertson, Daggy, Friedley of Lawrence,

Bill No. 350, an act amendatory of the act providing for the opening, change and vacating of highways, approved June 17, 1852, was read a second time by title, the report of the Committee on Roads concurred in and the bill laid on the table.

Mr. Bell moved that the constitutional rule requiring bills to be read by sections on three several days be suspended, that House Bill No. 206 may be read a second time by title now.

The ayes and noes being taken under the rule,

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bell, Boone, Bowman, Bunyan, Cardwell, Chapman, Culbertson, Daggy, Friedley of Lawrence, Friedley of Scott, Givan, Grove, Hackleman, Harney, Haworth, Henderson, Howard, Hough, Humphries LaRue, Major, Maxwell, Oliver, Peed, Rhodes, Ringo, Roe, Sarnighausen, Scott, Skinner, Sleeth, Tobin, Underwood and Wilson—36.

No Senator voting in the negative.

So the constitutional rule was suspended and Engrossed House Bill No. 206, an act to enable owners of wet lands to drain and reclaim them, etc., was read a second time by title, the report of the Committee on Swamp Lands concurred in and the amendments ordered engrossed.

Mr. Bell moved that the constitutional rule requiring bills to be read by sections on three several days be suspended, that House Bill No. 16 may be read a second time by title now.

The ayes and noes being taken under the rule,

Those who voted in the affirmative were

Messrs. Baxter, Beardsley, Bell, Boone, Bowman, Bunyan, Cardwell, Chapman, Culbertson, Daggy, Friedley of Lawrence, Friedley of Scott, Givan, Grove, Hackleman, Harney, Haworth, Henderson, Howard, Humphries, LaRue, Major, Maxwell, Oliver, Peed,

Rhodes, Ringo, Roe, Sarnighausen, Scott, Skinner, Sleeth, Tobin, Underwood and Wilson—35.

No Senator voting in the negative.

So the constitutional rule was suspended, Engrossed House Bill No. 16, an act fixing the salary of the Governor, was read a second time by title and placed on the calendar.

Mr. Bell moved that the constitutional rule requiring bills to be read by sections on three several days be suspended, that House Bill No. 355 may be read a second time by title now.

The ayes and noes being taken under the rule,

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bell, Boone, Bowman, Bunyan, Cardwell, Chapman, Culbertson, Daggy, Friedley of Lawrence, Friedley of Scott, Givan, Grove, Hackleman, Harney, Haworth, Henderson, Howard, Hough, Humphries, LaRue, Major, Maxwell, Oliver, Peed, Rhodes, Ringo, Roe, Sarnighausen, Scott, Skinner, Sleeth, Tobin, Underwood and Wilson—36.

No Senator voting in the negative.

So the constitutional rule was suspended and Engrossed House Bill No. 355, an act to amend the 18th section of an act concerning the partition of lands, was read a second time and placed on the calendar.

Mr. Bell moved that the constitutional rule requiring bills to be read by sections on three several days be suspended, that House Bill No. 364 may be read a second time by title now.

The ayes and noes being taken under the rule,

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bell, Boone, Bowman, Bunyan, Cardwell, Chapman, Culbertson, Daggy, Friedley of Lawrence,

Friedley of Scott, Givan, Grove, Hackleman, Harney, Haworth, Henderson, Howard, Humphries, LaRue, Major, Maxwell, Neff, Oliver, Peed, Rhodes, Ringo, Roe, Sarnighausen, Scott, Skinner, Sleeth, Tobin, Underwood and Wilson—35.

No Senators voting in the negative.

So the constitutional rule was suspended and Engrossed House Bill No. 364, an act supplementary to an an act repealing all general laws for the incorporation of cities, etc., was read a second time and placed on the calendar.

Mr. Bell moved that the constitutional rule requiring bills to be read by sections on three several days be suspended that House Bill No. 398 may be read a second time by title now.

The ayes and noes being taken under the rule,

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bell, Boone, Bowman, Bunyan, Cardwell, Chapman, Culbertson, Daggy, Friedley of Lawrence, Friedley of Scott, Givan, Grove, Hackleman, Harney, Haworth, Henderson, Howard, Hough, Humphries, LaRue, Major, Maxwell, Oliver, Peed, Rhodes, Ringo, Roe, Sarnighausen, Scott, Skinner, Sleeth, Tobin, Underwood and Wilson—35.

No Senator voting in the negative.

So the constitutional rule was suspended and Engrossed Senate Bill No. 389, a bill increasing the capacity of the Indiana Hospital for the Insane, etc., was read a second time.

The question being, on concurring in the report of the Committee on Rights and Privileges,

On motion, by Mr. Rhodes, bill and report was postponed until to-morrow.

Mr. Bell moved that the constitutional rule requiring bills to be

read on three several days by sections be suspended that House Bill No. 75 may be read a second time by title now.

The ayes and noes being taken under the rule,

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bell, Boone, Bowman, Bunyan, Cardwell, Chapman, Culbertson, Daggy, Friedley of Lawrence, Friedley of Scott, Givan, Grove, Hackleman, Harney, Haworth, Henderson, Howard, Hough, Humphries, LaRue, Major, Maxwell, Oliver, Peed, Rhodes, Ringo, Roe, Sarnighausen, Scott, Skinner, Sleeth, Tobin, Underwood and Wilson—36.

No Senator voting in the negative.

So the constitutional rule was suspended and Engrossed House Bill No. 75, an act supplementary to an act concerning partitions of lands, approved May 20, 1852, was read a second time, the report of the Committee on Judiciary concurred in and the bill placed on the calendar.

Mr. Bell moved that the constitutional rule requiring bills to be read by sections on three several days be suspended, that House Bill No. 325 may be read a second time by title now.

The ayes and noes being taken under the rule,

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bell, Boone, Bowman, Bunyan, Cardwell, Chapman, Culbertson, Daggy, Friedley of Lawrence, Friedley of Scott, Givan, Grove, Hackleman, Harney, Haworth, Henderson, Howard, Hough, Humphries, LaRue, Major, Maxwell, Oliver, Peed, Rhodes, Ringo, Roe, Sarnighausen, Scott, Skinner, Sleeth, Tobin, Underwood and Wilson—36.

No Senator voting in the negative.

So the constitutional rule was suspended and Engrossed House Bill No. 325, an act concerning licenses for shows of every kind, etc., was read a second time by title.

On motion by Mr. Boone the emergency clause was stricken out, and bill placed on the calendar.

Mr. Bell moved that the constitutional rule requiring bills to be read by sections on three several days be suspended, that House Bill No. 265 may be read a second time by title now.

The ayes and noes being taken under the rule,

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bell, Boone, Bowman, Bunyan, Cardwell, Chapman, Culbertson, Daggy, Friedley of Lawrence, Friedley of Scott, Givan, Grove, Hackleman, Harney, Haworth, Henderson, Howard, Hough, Humphries, LaRue, Major, Maxwell, Oliver, Peed, Rhodes, Ringo, Roe, Sarnighausen, Scott, Skinner, Sleeth, Tobin, Underwood and Wilson—36.

No Senator voting in the negative.

So the constitutional rule was suspended and Engrossed House Bill No. 265, an act supplemental to an act to repeal all general laws for the incorporation of cities, etc., approved March 14, 1867, was read a second time by title, the report of the Committee on Corporations concurred in, and bill placed on the calendar.

Mr. Bell moved that the constitutional rule requiring bills to be read by sections on three several days be suspended that Engrossed House Bill No. 6 may be read a second time by title now.

The ayes and noes being taken under the rule,

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bell, Boone, Bowman, Bunyan, Cardwell, Chapman, Culbertson, Daggy, Friedley of Lawrence, Friedley of Scott, Givan, Grove, Hackleman, Harney, Haworth, Henderson, Howard, Hough, Humphries, LaRue, Major, Maxwell, Oliver, Peed, Rhodes, Ringo, Roe, Sarnighausen, Scott, Skinner, Sleeth, Tobin, Underwood and Wilson—36.

No Senator voting in the negative.

So the constitutional rule was suspended and Engrossed House Bill No. 6, an act to legalize the incorporation of the town of Martinsville and declaring an emergency, was read a second time by title.

The question being, on the report of the Select Committee,

Mr. Maxwell moved to amend as follows :

Strike out all after the word "valued," in line 9, page 3, to the word "and," in line 14, page 3, inclusive, and strike out the words "according to law," in line 10, page 4, and add the words "at the proper time."

Which was agreed to and amendments ordered engrossed.

Mr. Bell moved that the constitutional rule, requiring bills to be read by sections on three several days be suspended that House Bill No. 229 may be read a second time by title now.

The ayes and noes being taken under the rule,

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bell, Boone, Bowman, Bunyan, Cardwell, Chapman, Culbertson, Daggy, Friedley of Lawrence, Friedley of Scott, Givan, Grove, Hackleman, Harney, Haworth, Henderson, Howard, Hough, Humphries, LaRue, Major, Maxwell, Oliver, Peed, Rhodes, Ringo, Roe, Sarnighausen, Scott, Skinner, Sleeth, Tobin, Underwood and Wilson—36.

No Senator voting in the negative.

So the constitutional rule was suspended and Engrossed House Bill No. 229, an act defining certain misdemeanors and defining penalties therefor, was read a second time by title, the report of the Committee on Judiciary concurred in and the bill laid on the table.

Mr. Bell moved that the constitutional rule requiring bills to be read by sections on three several days be suspended, that House Bill No. 417 may be read a second time by title now.

The ayes and noes being taken under the rule,

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bell, Boone, Bowman, Bunyan, Cardwell, Chapman, Culbertson, Daggy, Friedley of Lawrence, Friedley of Scott, Givan, Grove, Hackleman, Harney, Haworth, Henderson, Howard, Hough, Humphries, LaRue, Major, Maxwell, Oliver, Peed, Rhodes, Ringo, Roe, Sarnighausen, Scott, Skinner, Sleeth, Tobin, Underwood and Wilson—36.

No Senator voting in the negative.

So the constitutional rule was suspended and Engrossed House Bill No. 417, an act to exempt benefits and interests of wives, children and dependents of Masonic, Odd Fellows and other charitable societies, etc., from the claims of creditors, etc., was read a second time by title and placed on the calendar.

Mr. Bell moved that the constitutional rule requiring bills to be read by sections on three several days be suspended, that House Bill No. 132 may be read a second time by title now.

The ayes and noes being taken under the rule,

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bell, Boone, Bowman, Bunyan, Cardwell, Chapman, Culbertson, Daggy, Friedley of Lawrence, Friedley of Scott, Givan, Grove, Hackleman, Harney, Haworth, Henderson, Howard, Hough, Humphries, LaRue, Major, Maxwell, Oliver, Peed, Rhodes, Ringo, Roe, Sarnighausen, Scott, Skinner, Sleeth, Tobin, Underwood and Wilson—36.

No Senator voting in the negative.

So the constitutional rule was suspended and Engrossed House Bill No. 132, a bill to prevent the indiscriminate shooting into the roostings and nestings of wild pigeons, was read a second time by title, the report of the Committee on Rights and Privileges concurred in and the bill placed on the calendar.

Mr. Bell moved that the constitutional rule, requiring bills to be read by sections on three several days be suspended that House Bill No. 26 may be read a second time by title now.

The ayes and noes being taken under the rule,

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bell, Boone, Bowman, Bunyan, Cardwell, Chapman, Culbertson, Daggy, Friedley of Lawrence, Friedley of Scott, Givan, Grove, Hackleman, Harney, Haworth, Henderson, Howard, Hough, Humphries, LaRue, Major, Maxwell, Oliver, Peed, Rhodes, Ringo, Roe, Sarnighausen, Scott, Skinner, Sleeth, Tobin, Underwood and Wilson—36.

No Senator voting in the negative.

So the constitutional rule was suspended and Engrossed House Bill No. 26, a bill relating to and prescribing some of the duties and liabilities of the clerks of the several courts of the State, etc., was read a second time by title, report of Committee on Organization of Courts concurred in and the bill placed on the calendar.

Mr. Bell moved that the constitutional rule requiring bills to be read by sections on three several days be suspended that House Bill No. 191 may be read a second time by title now.

The ayes and noes being taken under the rule,

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bell, Boone, Bowman, Bunyan, Cardwell, Chapman, Culbertson, Daggy, Friedley of Lawrence, Friedley of Scott, Givan, Grove, Hackleman, Harney, Haworth, Henderson, Howard, Hough, Humphries, LaRue, Major, Maxwell, Oliver, Peed, Rhodes, Ringo, Roe, Sarnighausen, Scott, Skinner, Sleeth, Tobin, Underwood and Wilson—36.

No Senator voting in the negative.

S. J.—65

So the constitutional rule was suspended and Engrossed House Bill No. 191, an act supplemental to an act to establish Superior Courts, etc., was read a second time by title, the report of the Committee on Organization of Courts concurred in and bill placed on the calendar.

Mr. Bell moved that the constitutional rule requiring bills to be read by sections on three several days be suspended, that House Bill No. 196 may be read a second time by title now.

The ayes and noes being taken under the rule,

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bell, Boone, Bowman, Bunyan, Cardwell, Chapman, Culbertson, Daggy, Friedley of Lawrence, Friedley of Scott, Givan, Grove, Hackleman, Harney, Haworth, Henderson, Howard, Hough, Humphries, LaRue, Major, Maxwell, Oliver, Peed, Rhodes, Ringo, Roe, Sarnighausen, Scott, Skinner, Sleeth, Tobin, Underwood and Wilson—36.

No Senator voting in the negative.

So the constitutional rule was suspended and Engrossed House Bill No. 196, an act providing for the election and qualification of Justices of the Peace, etc., was read a second time, the report of the Committee on Judiciary concurred in and the bill laid on the table.

Mr. Bell moved that the constitutional rule requiring bills to be read by sections on three several days be suspended, that House Bill No. 69, may be read a second time by title now.

The ayes and noes being taken under the rule,

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bell, Boone, Bowman, Bunyan, Cardwell, Chapman, Culbertson, Daggy, Friedley of Lawrence, Friedley of Scott, Givan, Grove, Hackleman, Harney, Haworth,

Henderson, Howard, Hough, Humphries, LaRue, Major, Maxwell, Oliver, Peed, Rhodes, Ringo, Roe, Sarnighausen, Scott, Skinner, Sleeth, Tobin, Underwood and Wilson—36.

No Senator voting in the negative.

So the constitutional rule was suspended and Engrossed House Bill No. 69, an act authorizing boards of county commissioners to levy taxes to construct, repair, purchase gravel, macadamized or other improved roads, was read a second time by title, report of Committee on Roads concurred in and amendments ordered engrossed.

Mr. Bell moved that the constitutional rule requiring bills to be read by sections on three several days be suspended that Engrossed House Bill No. 79 may be read a second time by title now.

The ayes and noes being taken under the rule,

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bell, Boone, Bowman, Bunyan, Cardwell, Chapman, Culbertson, Daggy, Friedley of Lawrence, Friedley of Scott, Givan, Grove, Hackleman, Harney, Haworth, Henderson, Howard, Hough, Humphries, LaRue, Major, Maxwell, Oliver, Peed, Rhodes, Ringo, Roe, Sarnighausen, Scott, Skinner, Sleeth, Tobin, Underwood and Wilson—35.

No Senator voting in the negative.

So the constitutional rule was suspended and Engrossed House Bill No. 79, a bill to amend section 83 of the act concerning decedents' estates, was read a second time by title, the report of the Committee on Judiciary concurred in and bill laid on the table.

Mr. Bell moved that the constitutional rule requiring bills to be read by sections on three several days be suspended that Engrossed House Bill No. 195 may be read a second time by title now.

The ayes and noes being taken under the rule,

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bell, Boone, Bowman, Bunyan, Cardwell, Chapman, Culbertson, Daggy, Friedley of Lawrence, Friedley of Scott, Givan, Grove, Hackleman, Harney, Haworth, Henderson, Howard, Hough, Humphries, LaRue, Major, Maxwell, Oliver, Peed, Rhodes, Ringo, Roe, Sarnighausen, Scott, Skinner, Sleeth, Tobin, Underwood and Wilson—36.

No Senator voting in the negative.

So the constitutional rule was suspended and Engrossed House Bill No. 195, a bill to fix the time for holding court in the Nineteenth Judicial Circuit, etc., was read a second time by title, the report of the Committee on Organization of Courts concurred in and the bill ordered engrossed.

Mr. Bell moved that the constitutional rule requiring bills to be read by sections on three several days be suspended, that Engrossed House Bill No. 164 may be read a second time by title now.

The ayes and noes being taken under the rule,

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Boone, Bowman, Bunyan, Cardwell, Chapman, Culbertson, Daggy, Friedley of Lawrence, Friedley of Scott, Givan, Grove, Hackleman, Harney, Haworth, Henderson, Howard, Hough, Humphries, LaRue, Major, Maxwell, Oliver, Peed, Rhodes, Ringo, Roe, Sarnighausen, Scott, Skinner, Slater, Tobin, Underwood and Wilson—36.

No Senator voting in the negative.

So the constitutional rule was suspended and Engrossed House Bill No. 164, an act to amend section 74 of the practice act, was read a second time by title, the report of the Committee on Judiciary concurred in and bill placed on the calendar.

Mr. Bell moved that the constitutional rule requiring bills to be

read by sections on three several days be suspended, that Engrossed House Bill No. 44 may be read a second time by title now.

The ayes and noes being taken under the rule,

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bell, Boone, Bowman, Bunyan, Cardwell, Chapman, Culbertson, Daggy, Friedley of Lawrence, Friedley of Scott, Givan, Grove, Hackleman, Harney, Haworth, Henderson, Howard, Hough, Humphries, LaRue, Major, Maxwell, Oliver, Peed, Rhodes, Ringo, Roe, Sarnighausen, Scott, Skinner, Sleeth, Tobin, Underwood and Wilson—36.

No Senator voting in the negative.

So the constitutional rule was suspended and Engrossed House Bill No. 44, an act in reference to county commissioners, etc., was read a second time by title, the report of the Committee on County and Township Business concurred in and amendments ordered engrossed.

Mr Bell moved that the constitutional rule requiring bills to be read by sections on three several days be suspended, that Engrossed House Bill No. 66 may be read a second time by title now.

The ayes and noes being taken under the rule,

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bell, Boone, Bowman, Bunyan, Cardwell, Chapman, Culbertson, Daggy, Friedley of Lawrence, Friedley of Scott, Givan, Grove, Hackleman, Harney, Haworth, Henderson, Hough, Humphries, LaRue, Major, Maxwell, Oliver, Peed, Rhodes, Ringo, Roe, Sarnighausen, Scott, Skinner, Sleeth, Tobin, Underwood and Wilson—36.

No Senator voting in the negative.

So the constitutional rule was suspended and Engrossed House Bill No. 66, a bill declaring illegal and void agreements to pay

attorneys' fees, etc., was read a second time by title, report of Committee on Judiciary was not concurred in and bill placed on the calendar.

Mr. Bell moved that the constitutional rule requiring bills to be read by sections on three several days be suspended that Engrossed House Bill No. 193, may be read a second time by title now.

The ayes and noes being taken under the rule,

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bell, Boone, Bowman, Bunyan, Cardwell, Chapman, Culbertson, Daggy, Friedley of Lawrence, Friedley of Scott, Givan, Grove, Hackleman, Harney, Haworth, Henderson, Howard, Hough, Humphries, LaRue, Major, Maxwell, Oliver, Peed, Rhodes, Ringo, Roe, Sarnighausen, Scott, Skinner, Sleeth, Tobin, Underwood and Wilson—36.

No Senator voting in the negative.

So the constitutional rule was suspended and Engrossed House Bill No. 193, an act to amend section 672 of the practice act, etc., was read a second time by title, report of Committee on Judiciary concurred in and bill laid on the table.

Mr. Bell moved that the constitutional rule requiring bills to be read by sections on three several days be suspended that Engrossed House Bill No. 255, may be read a second time by title now.

The ayes and noes being taken under the rule,

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bell, Boone, Bowman, Bunyan, Cardwell, Chapman, Culbertson, Daggy, Friedley of Lawrence, Friedley of Scott, Givan, Grove, Hackleman, Harney, Haworth, Henderson, Howard, Hough, Humphries, LaRue, Major, Maxwell, Oliver, Peed, Rhodes, Ringo, Roe, Sarnighausen, Scott, Skinner, Sleeth, Tobin, Underwood and Wilson—36.

No Senator voting in the negative.

So the constitutional rule was suspended and Engrossed House Bill No. 255, an act concerning grand juries, fixing number, manner of selecting, etc., was read a second time by title, the report of Committee on Judiciary concurred in and the bill laid on the table.

Mr. Bell moved that the constitutional rule requiring bills to be read by sections on three several days be suspended, that Engrossed House Bill No. 219 may be read a second time by title now.

The ayes and noes being taken under the rule,

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bell, Boone, Bowman, Bunyan, Cardwell, Chapman, Culbertson, Daggy, Friedley of Lawrence, Friedley of Scott, Givan, Grove, Hackleman, Harney, Haworth, Henderson, Howard, Humphries, LaRue, Major, Maxwell, Neff, Oliver, Rhodes, Ringo, Roe, Sarnighausen, Scott, Skinner, Slater, Sleeth, Tobin, Underwood and Wilson—35.

No Senator voting in the negative.

So the constitutional rule was suspended and Engrossed House Bill No. 219, an act to amend the 153d section of an act providing for a general system of public schools, etc., was read a second time by title and placed on the calendar.

Mr. Bell moved that the constitutional rule requiring bills to be read by sections on three several days be suspended, that Engrossed House Bill No. 225 may be read a second time by title now.

The ayes and noes being taken under the rule,

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bell, Boone, Bowman, Bunyan, Cardwell, Chapman, Culbertson, Daggy, Friedley of Lawrence, Friedley of Scott, Givan, Grove, Hackleman, Harney, Haworth, Henderson, Howard, Humphries, LaRue, Major, Maxwell, Neff, Oliver, Rhodes, Ringo, Roe, Sarnighausen, Scott, Sleeth, Skinner, Tobin, Underwood and Wilson—35.

No Senator voting in the negative.

So the constitutional rule was suspended and Engrossed House Bill No. 225, an act appropriating five hundred dollars per annum to the Indiana Horticultural Society, etc., was read a second time by title, the report of the Committee on Agriculture concurred in and bill placed on the calendar.

Mr. Bell moved that the constitutional rule requiring bills to be read by sections on three several days be suspended, that House Bill No. 204 may be read a second time by title now.

The ayes and noes being taken under the rule,

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bell, Boone, Bowman, Bunyan, Cardwell, Chapman, Culbertson, Daggy, Friedley of Lawrence, Friedley of Scott, Givan, Grove, Hackleman, Harney, Henderson, Humphries, LaRue, Major, Maxwell, Neff, Oliver, Rhodes, Ringo, Roe, Sarnighausen, Scott, Skinner, Sleeth, Tobin, Underwood and Wilson—35.

No Senator voting in the negative.

So the constitutional rule was suspended and Engrossed House Bill No. 204, an act providing for the relief of persons bound as surety on contracts in writing for the payment of money, was read a second time by title, the report of the Committee on Judiciary concurred in and bill laid on the table.

Mr. Bell moved that the constitutional rule requiring bills to be read by sections on three several days be suspended, that House Bill No. 330 may be read a second time by title now.

The ayes and noes being taken under the rule,

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bell, Boone, Bowman, Bunyan, Cardwell, Chapman, Culbertson, Daggy, Friedley of Lawrence, Friedley of Scott, Givan, Grove, Hackleman, Harney, Haworth,

Henderson, Howard, Humphries, LaRue, Major, Maxwell, Neff, Oliver, Peed, Rhodes, Ringo, Roe, Sarnighausen, Scott, Skinner, Sleeth, Tobin, Underwood and Wilson—36.

No Senator voting in the negative.

So the constitutional rule was suspended and Engrossed House Bill No. 330, an act to amend section 16 of the act providing for the election or appointment of supervisors of highways, etc., was read a second time by title, report of the Committee on Roads concurred and bill placed on the calendar.

Mr. Bell moved that the constitutional rule requiring bills to be read by sections be suspended that House Bill No. 340 may be read a second time by title now.

The ayes and noes being taken under the rule,

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bell, Boone, Bowman, Bunyan, Cardwell, Chapman, Culbertson, Daggy, Friedley of Lawrence, Friedley of Scott, Givan, Grove, Hackleman, Harney, Haworth, Henderson, Howard, Humphries, LaRue, Major, Maxwell, Neff, Oliver, Peed, Rhodes, Ringo, Roe, Sarnighausen, Scott, Skinner, Sleeth, Tobin, Underwood and Wilson—36.

No Senator voting in the negative.

So the constitutional rule was suspended and Engrossed House Bill No. 340, an act to amend section 14 of an act regulating foreign insurance companies, etc., was read a second time by title, report of Committee on Insurance concurred and placed on the calendar.

Mr. Bell moved that the constitutional rule requiring bills to be read by section on three several days be suspended that House Bill No. 473 may be read a second time by title now.

The ayes and noes being taken under the rule,

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bell, Boone, Bowman, Bunyan, Cardwell, Chapman, Culbertson, Daggy, Dykeman, Friedley of Lawrence, Friedley of Scott, Givan, Grove, Hackleman, Harney, Hendricks, Hough, Howard, Humphries, LaRue, Major, Maxwell, Neff, Peed, Rhodes, Ringo, Roe, Sarnighausen, Scott, Skinner, Slesch, Tobin, Underwood and Wilson—36.

No Senator voting in the negative.

So the constitutional rule was suspended and Engrossed House Bill No. 473, an act to amend section 17 of an act regulating decedents' estates, etc., was read a second time by title, the report of the Committee on Judiciary concurred in and the bill placed on the calendar.

On motion by Mr. Harney the Senate adjourned until to-morrow morning at 10 o'clock.

THURSDAY MORNING,

MARCH 4, 1875—10 O'CLOCK.

Senate assembled.

On motion by Mr. Humphries, Mr LaRue took the chair.

Pending the reading of the Journal of yesterday, Mr Beardsley moved that the further reading be dispensed with.

Which was agreed to.

The Journal was then approved.

Report by Mr. Gooding.

MR. PRESIDENT:

The Committee on Rights and Privileges, to whom was referred House Bill No 111, a bill defining grave robbing, prescribing punishment, etc., have had the same under consideration and direct me to report the same back with the recommendation that it pass.

Was placed on the calendar.

Report by Mr. Gooding.

MR. PRESIDENT:

The Committee on Fees and Salaries, to whom was referred Senate Bill No. 197, entitled, "An act to amend such sections of an act entitled an act supplementary and amendatory of an act entitled an act to provide for a uniform assessment of property and for the collection and return of taxes thereon," approved December 21, 1872, approved March 8, 1873, and declaring an emergency, with pending amendments, have had the same under consideration and direct me to report the same back to the Senate with the following recommendations, to wit:

That immediately after the completion by the county auditors, of the record required by the 194th section of an act entitled "an act to provide for a uniform assessment of property and for the collection and return of taxes thereon," approved December, 21, 1872, the auditor shall cause four weeks notice to be given, printed and published in some newspaper published in the county, having a general circulation, (if there be one,) stating in said notice, that said list has been completed and is ready for inspection, and that on the second Monday of the ensuing February, the treasurer will proceed to sell the land remaining delinquent, for the taxes, penalty and costs due thereon, and if no paper be published in such county, the auditor shall cause such notice to be posted in three public places in each township in the county, for four weeks before the day of sale.

Section 2. Section 5 of an act entitled, "an act supplementary and amendatory of an act entitled an act for a uniform assessment of property and for the collection and return of taxes thereon", approved December 21, 1872, and approved March 8, 1873, is hereby repealed, but no law or part of law shall be revived by the repeal of said section.

The Committee further recommend that section 2 of said act be stricken out. They further recommend that the title of said act be amended by inserting after the word "act" in the first line, the words, "in relation to the publication of the delinquent tax list," and that the word "amend" in said first line be stricken out, and the word "repeal" be inserted instead.

And when so amended, they recommend its passage.

The report was concurred in, and the bill ordered engrossed.

REPORTS BY COMMITTEES.

By Mr. Givan.

MR. PRESIDENT :

The Committee on Banks, to whom was referred Senate Bill No. 194, entitled "an act to authorize and regulate general banking," have had the same under consideration, and have directed me to report the same back with the recommendation that it lie upon the table.

The report was concurred in and the bill laid on the table.

Mr. Oliver made the following report:

To the General Assembly of the State of Indiana :

Your Committee on Public Buildings would respectfully report that they have visited the State University at Bloomington, for the purpose of inspecting its buildings.

We found the old buildings of the institution in a good condition, except the need of painting and the ordinary repairs required to keep up all structures, but the new building, erected with the money appropriated two years ago, is by no means what the State had a right to expect. It is in bad condition, caused by serious defects in the plans and general construction. The building is 130 feet long, 50 feet wide and three stories high, yet in the entire building there is but one cross wall of brick, and that is but one story high, all the remaining partition walls are of wood. Those wooden partitions running up to the square of the building, have settled and

shrunk, causing serious damage to the building, cracking the plastering and allowing the main side walls to spread.

And your Committee find, if possible, a still more serious defect.

The outside walls run as a parapet above the square of the building, and forming an inside gutter wholly inadmissable in our climate of snow and rain. The rafters and roof rest on wall plates, inside the brick walls. This inside gutter is lined with metal, which does not run up the roof as high as the level of the outside wall. The consequences are obvious. The water backs over the metal, and runs into the building. The roof timber has shrunk so as to tear the plastering loose at the angles of the walls, and those two results are making serious havoc with the building. To permanently remedy the most serious evils of this building, the parapet walls would have to be taken off, a cornice projected and the gutter thrown outside the wall line.

This would involve an outlay of from seven to ten thousand dollars. Your Committee would have no hesitation in recommending this, but for the well known opposition to all such appropriations.

But without a doubt this would be the cheapest in the end. But your Committee recommend as a positive necessity to save the building from irreparable injury, an appropriation of three thousand dollars, to enlarge the guttering to prevent further injury and repair the mischief already done.

Respectfully submitted, by order of the Committee.

The question being on the adoption of the report of the Committee, Mr. Friedley of Lawrence, moved to amend by referring the report to the Committee on Claims.

Which was agreed to.

The report as amended was then agreed to.

Mr. Bell from the Committee on Phraseology, reported that Senate Bill No. 39 was correctly engrossed. Also, that the amendments to House Bill No. 89, and House Bill No. 410, were correctly engrossed.

Mr. Peed offered the following resolution:

Resolved, That the Attorney General be requested to communicate to this body his construction of the following provisions of the constitution, to wit: " But no bill shall be presented to the Governor, within two days next previous to the final adjournment of the General Assembly." Section 14, article 5, of the Constitution.

Which was adopted.

Report by Mr. Oliver from the Committee on Public Buildings.

INDIANA STATE PRISON SOUTH.

To the General Assembly of the State of Indiana.

The Warden and Directors of the State Prison South, having reported a very large expenditure for repairs and improvements, during the last two years, your Committee on Public Buildings have felt it to be their province to examine the condition of the prison buildings and the character of these repairs, and for this purpose, a majority of them have visited the institution.

We did not go there to interfere with or to supplement the action of the Prison Committee, but to make an independent investigation in our own department.

We found the officers courteous and apparently willing to give us every facility for investigation. We were shown about the grounds and buildings, and there was pointed out to us the various structures, repairs and improvements, representing the expenditures.

At our request, the Warden furnished a schedule of the various items of building improvements, alterations and repairs, which had been made, but this list did not specify the cost of the separate items, only the aggregates as will be seen by reference thereto, for which purpose it is herewith submitted. Whether this amount is correct or not we are not willing to say, because, at the time of our visit, the prison books and vouchers were in the hands of the Prison Committee and we could not thoroughly examine them.

All that we were willing to affirm is, that there was pointed to us a large number of repairs and improvements, which must have involved a considerable outlay; and as the Prison Committee is investigating the general management of the prison, and the accuracy of its reported outlays, we leave with them to report whether the

expenditures for repairs were proper and necessary. But your Committee are unanimous in reporting, that the buildings of the Southern Prison are old, badly constructed and but illy adapted to their purpose, and that they must continue to be an annual bill of expense for repairs. Your Committee are also of the opinion, that the prison is unhealthy as shown by its large reports of sickness and death.

Most of the expense for repairs during the last few years, has been in the direction of overcoming inherent defects in the prison premises.

Taking these facts in consideration, with the local hostility to the prison by free laborers, and the suggestions of the Governor, in his annual message, and your Committee are of the opinion that the State Prison at Jeffersonville, should be abandoned as soon as the State can make the necessary arrangements, and that a new prison should be erected at the point most available for employing the convict labor in stone quarries, where there will be least competition with skilled mechanics. It is not the province of this committee to define the policy of the State in regard to the management of prisons, and our suggestions only grow out of the fact that we are satisfied that no more money should be spent on the buildings at Jeffersonville, in the way of improvements or for any repairs which can possibly be avoided.

Respectfully submitted, by order of the committee.

The undersigned of the committee on Public Buildings, having personally made a more thorough examination of the premises of the Southern Prison than did the committee as a whole, feel it to be our duty to make this additional statement. We made a personal inspection of each item of repairs contained in the Warden's schedule, and made notes of its character. One of us, who is a practical builder, then made an independent calculation of the probable and proper cost, and declares that his estimate raised less than one hundred dollars from the aggregate set down in the Warden's list. We also examined the accounts, charge and vouchers of the Warden, for these repairs, and found them to be correct. While therefore, we abstain from any expression of opinion as to the necessity of these alterations and improvements, leaving the responsibility with the directors who sanctioned them.

We should be derelict in duty if we did not say that these repairs and alterations were actually made, that the prices charged for them were just and reasonable, and that charges of fraud in this direction are unwarrantable.

Mr. Chapman moved that the report do lie on the table.

Mr. Baxter offered the following concurrent resolution:

Be it resolved by the Senate, the House concurring therein, That the Governor shall appoint three commissioners of diverse politics whose business shall be to inquire into the condition, management and requirements of our State Prisons; to suggest such improvement of convicts as they may deem most conducive to the benefit and reformation of the convicts and the best interest of the State; to ascertain whether there is necessity for further accommodation for convicts, and if there be such necessity, to suggest the kind of prison to be built and a location that will be most healthy for the convicts and the most convenient and best adapted for State purposes. Said commissioners after having made a thorough investigation shall write a full report of their investigations and suggestions and transmit them to the Governor to be presented to the next General Assembly for consideration. Said commissioners shall be allowed their actual expenses only, which shall be drawn from the Treasurer of State under a warrant signed by the Governor.

Mr. Sleeth moved to amend by striking out all relating to expenses.

Which was agreed to.

Mr. Peed moved that the resolution as amended do lie on the table.

Messrs. Peed and Winterbotham demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Bell, Chapman, Cree, Culbertson, Davidson, Dykeman,

Givan, Grove, Harney, Henderson, Hendricks, Humphries, Maxwell, Peed, Ringo, Roe, Sarnighausen, Skinner, Slater, Smith, Stockslager, Wilson, Winterbotham and Mr. President—24.

Those voting in the negative were,

Messrs. Baxter, Beardsley, Bearss, Boone, Bunyan, Cardwell, Daggy, Friedley of Lawrence, Friedley of Scott, Gooding, Hackleman, Haworth, Hough, Howard, Johnston of Parke, LaRue, Major, Neff, Oliver, Rhodes, Scott, Tobin and Underwood—23.

So the motion was agreed to and the resolution was laid on the table.

Mr. Smith made the following report :

MR. PRESIDENT:

Your Committee on Phraseology and Arrangement of Bills, to whom was referred Engrossed House Bill No. 129, being an act to amend an act entitled "An act to incorporate the Indiana Fire and Marine Insurance Company, and declaring an emergency," with Senate Engrossed amendments thereto, have carefully examined the same and find the amendments correctly engrossed.

By consent, Mr. Stockslager introduced

Senate Bill No. 362. A bill fixing the times of holding courts, etc.

Was read a first time.

Mr. Peed moved to suspend the constitutional rule requiring bills to be read by sections on three several days, that the bill may be read a second time by title, considered engrossed, and a third time by sections now.

The ayes and noes being taken under the rule,

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bearss, Bell, Boone, Bunyan, Cardwell, Chapman, Cree, Culbertson, Daggy, Dykeman, Friedley of S. J.—66

Lawrence, Friedley of Scott, Givan, Gooding, Hackleman, Harney, Haworth, Henderson, Hendricks, Howard, Humphries, Johnston of Parke, LaRue, Major, Neff, Oliver, Peed, Rhodes, Ringo, Roe, Sarnighausen, Scott, Skinner, Slater, Sleeth, Smith, Stockslager, Tobin, Underwood and Wilson—42.

No Senator voting in the negative.

So the constitutional rule was suspended and the bill read a second time by title, considered engrossed, and a third time by sections.

The question being, shall the bill pass ?

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bearss, Bell, Boone, Bowman, Bunnan, Cardwell, Chapman, Cree, Culbertson, Daggy, Davidson, Dykeman, Friedley, of Lawrence, Friedley of Scott, Givan, Gooding, Hackleman, Harney, Haworth, Henderson, Hendricks, Hough, Howard, Humphries, Johnston of Parke, LaRue, Major, Maxwell, Neff, Oliver, Peed, Ringo, Roe, Sarnighausen, Scott, Skinner, Slater, Smith, Stockslager, Tobin, Underwood, Wilson and Winterbotham—45.

No Senator voting in the negative.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Ordered that the Secretary inform the House of the passage of the bill.

Report by Mr. Dykeman.

MR. PRESIDENT:

The special committee, to whom was referred the claims of James B. Smith for paving with wood pavement and laying down

stone curbing on the street or roadway on what is know as the Blind Asylum property, being four hundred and eighty feet fronting on Meridian street, have had the matter under consideration and we herewith submit the contract made between the city of Indianapolis and the said Smith for the paving of Meridian street adjoined to this property; also, the estimate of the City Civil Engineer and a plat of the grounds affected and an itemized statement of the whole account. We find the charge of \$1.57½ per yard for pavement as fair and reasonable; also, that fifty-eight cents for curb stone is correct. We find that the contractor laid down 2,422 yards of pavement and 840 feet of curbing. On account of the weather we have not been able to give the work a personal inspection, but we have taken the evidence of parties owning property along the street affected by the improvement and they report the work first class. We therefore recommend that there be allowed to the claimant, James B Smith, the sum of \$4,303.85, and the same be referred to the Senate Committee on Finance for incorporation in the specific appropriation bill.

Which was concurred in.

Mr. Givan moved to take up Senate Bill No. 358.

Mr. Friedley of Lawrence moved that the bill be referred to a select committee of three.

Which was agreed to.

Whereupon the President announced as such committee Messrs. Culbertson, Friedley of Scott and Givan.

Report by Mr. Sleeth.

MR. PRESIDENT:

The Committee on Corporations, to whom was referred Senate Bill No. 350, entitled "An act to enable mayors of cities to enforce the ordinances thereof," have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

Was placed on the calendar.

Report by Mr. Sleeth.

MR. PRESIDENT :

The Committee on Judiciary, to whom was referred Senate Bill No. 227, entitled "A bill to amend section 224 of an act to abridge the rules of practice in civil cases," etc., approved June 18, 1852, have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it pass.

Was placed on the calendar.

Report by Mr. Hough.

MR. PRESIDENT :

The Committee on Corporations, to whom was referred Senate Bill No. 321, entitled "An act defining the duties of County and Township Assessors, County and State Boards of Equalization," etc., have had the same under consideration, and have directed me to report the same back to the Senate without recommendation.

Was placed on the calendar.

Report by Mr. Hough.

MR. PRESIDENT :

The Committee on Corporations to whom was referred Engrossed House Bill No. 217, entitled, "An act concerning the organization of plank, macadamized and gravel road companies" etc, have had the same under consideration, and a majority of said committee have directed me to return the same back to the Senate, with the recommendation that the bill do pass.

Was placed on the calendar.

Report by Mr. Scott.

MR. PRESIDENT :

The majority of the Committee on Education, have had under consideration House Bill No. 343, on the subject of transfer of scholars

and teachers, and a majority of the committee have directed me to report the same back to the Senate, with the recommendation that the same do pass.

Report by Mr. Friedley of Lawrence.

MR. PRESIDENT:

A minority of your Committee on Education, to whom was referred Engrossed House Bill No. 243, being an act to amend section 3 of an act to authorize cities and towns to negotiate and sell bonds, procure means with which to erect and complete unfinished school buildings and to purchase any grounds and authorize the levy and collection of an additional special tax for the payment of such bonds, approved March 8, 1873, and declaring an emergency, and a majority of said committee have instructed me to report the bill back to the Senate with the recommendation that lines 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81 and 82 of section 1 of said bill be stricken out, and that when so amended the bill do pass.

Both the majority and minority reports were placed on the calendar.

On motion, by Mr. Gooding, Engrossed House Bill No. 389, a bill increasing the capacity of the Indiana Hospital for the Insane, etc., was taken up.

The question being, on concurring in the report of the Committee on Rights and Privileges of the Inhabitants of the State, Mr. Daggy moved that the report do lie on the table.

Messrs. Bell and Daggy demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Beardsley, Boone, Cardwell, Culbertson, Daggy, Givan, Hackleman, Harney, Haworth, Hough, Humphries, Oliver, Rhodes, Ringo, Roe, Slater, Sleeth, Underwood and Wilson—19.

Those who voted in the negative were,

Messrs. Baxter, Bearss, Bell, Bowman, Bunyan, Chapman,

Cree, Davidson, Dykeman, Friedley of Lawrence, Friedley of Scott, Gooding, Grove, Henderson, Hendricks, Howard, Johnston of Parke, LaRue, Major, Maxwell, Neff, Peed, Sarnighausen, Scott, Skinner, Smith, Stockslager, Tobin and Winterbotham—29.

So the motion did not prevail.

The question recurring on the adoption of the report of the committee,

Messrs. Bell and Gooding demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Baxter, Bearss, Bell, Bowman, Bunyan, Chapman, Cree, Davidson, Dykeman, Friedley of Lawrence, Friedley of Scott, Gooding, Grove, Henderson, Hendricks, Howard, LaRue, Major, Peed, Roe, Sarnighausen, Scott, Skinner, Smith, Stockslager, Tobin and Winterbotham—27.

Those who voted in the negative were,

Messrs. Beardsley, Boone, Cardwell, Culbertson, Daggy, Givan, Hackleman, Harney, Haworth, Hough, Humphries, Johnston of Parke, Maxwell, Neff, Oliver, Rhodes, Ringo, Slater, Sleeth, Underwood and Wilson—21.

So the report was concurred in.

Mr. Gooding moved that the amendment be considered engrossed and that the bill be read a third time now.

Which was agreed to.

Engrossed House Bill No. 389. A bill to increase the facilities of the Indiana Hospital for the Insane by additional buildings, creating departments therein and declaring an emergency.

Was read a third time.

The question being, shall the bill pass ?

Those who voted in the affirmative were,

Messrs. Baxter, Bearss, Bell, Bowman, Bunyan, Chapman, Cree, Davidson, Dykeman, Friedley of Lawrence, Friedley of Scott, Givan, Gooding, Grove, Henderson, Hendricks, Howard, Johnson of Floyd, Johnston of Parke, LaRue, Major, Neff, Rhodes, Roe, Sarnighausen, Scott, Skinner, Smith, Stockslager, Tobin, and Winterbotham—32.

Those who voted in the negative were,

Messrs. Beardsley, Boone, Cardwell, Culbertson, Daggy, Hackleman, Harney, Haworth, Hough, Humphries, Maxwell, Oliver, Ringo, Slater, Underwood and Wilson—16.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

Mr. Gooding offered the following amendment to the title:

An act to provide for the selection and procurement of sites for two Hospitals for the Insane, and for the erection of buildings thereon, and matters properly connected therewith.

Which was agreed to and the title as amended ordered to stand as the title of the bill.

Ordered, that the Secretary inform the House of the passage of the bill.

Message from the House by Mr. Holmes, Clerk thereof:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed Engrossed Senate Bill No. 318 with the accompanying engrossed amendments.

Also, I am directed by the House to inform the Senate that the

House has passed House Bill No. 456, entitled "An act for the further protection of miners."

Also, House Bill No. 324 entitled "An act to provide for the sale of macadamized, gravel and turnpike roads."

Also, House Bill No. 348, entitled "An act to amend an act to provide for the reimbursement to certain counties therein named of certain taxes illegally assessed and collected for the year 1869, and paid into the State Treasury, and declaring an emergency," approved March 8, 1873.

Also, House Bill No. 494, entitled "An act to legalize the incorporation of the town of Worthington as a city and the common council to extend the corporate limits thereof."

Also, House Bill No. 287, entitled "An act to amend section 87 of an act entitled 'an act to repeal all general laws now in force for the incorporation of cities and to provide for the incorporation of cities, and prescribing the powers and rights and the manner in which they shall exercise the same, and regulating such other matters as properly pertain thereto,'" approved March 14, 1867, and declaring an emergency.

Also, House Bill No. 331, entitled "An act to provide that judges may, in vacation, dissolve injunctions or restraining orders heretofore granted."

Also, House Bill No. 285, entitled "An act to amend section 354 of an act entitled 'an act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in the courts of this State, to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice without distinction between law and equity, and declaring an emergency.'"

Also, House Bill No. 418, entitled "An act to amend section 5 of an act entitled 'an act to provide for the election of a reporter and a speedy publication of the decisions of the Supreme Court, and for the compensation of such reporter,'" approved February 5, 1852.

Also, House Bill No. 141, entitled "An act defining the law of libel, and declaring the penalty therefor."

And said bills are herewith transmitted for the action of the Senate.

By consent, Mr. Boone made the following report:

MR. PRESIDENT:

The Committee on Judiciary, to whom was referred House Bill No. 148, a bill to amend section 8 of an act regulating the granting of divorces, nullification of marriages and decrees, and orders of court incident thereto, and repealing all laws conflicting with the same, have had the same under consideration, and have directed me to report the same back to the Senate with a recommendation that the same do lie upon the table, for the reason that the Senate has already passed a bill upon the same subject matter.

Was concurred in and the bill laid on the table.

On motion by Mr. Beardsley Senate Bills on third reading were taken up.

Engrossed Senate Bill No. 39. A bill repealing an act entitled "An act to amend sections 3 and 14 of an act entitled 'an act to allow county commissioners to organize turnpike companies, when three-fifths of the persons representing the real estate within prescribed limits petition for same, repealing certain laws in relation thereto, and declaring an emergency.'"

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bearss, Bell, Bunyan, Cardwell, Chapman, Cree, Davidson, Dykeman, Givan, Gooding, Howard, Humphries, Johnson of Floyd, LaRue, Major, Neff, Rhodes, Ringo, Sarnighausen, Scott, Smith, Tobin and Wilson—25.

Those voting in the negative were,

Messrs. Boone, Bowman, Culbertson, Daggy, Hackleman, Haworth, Hendricks, Hough, Johnston of Parke, Maxwell, Roe, Slater, Sleeth, Stockslager and Underwood—15.

So the bill failed to pass for want of a constitutional majority.

Engrossed Senate Bill No. 18. A bill supplementary to an act approved March 14, 1867, entitled "An act to repeal all general laws now in force for the incorporation of cities," etc.

Was read a third time.

Mr. Hough presented a petition from citizens of Indianapolis on the same subject asking for the passage of the bill.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bearss, Boone, Bunyan, Chapman, Daggy, Davidson, Friedley of Scott, Gooding, Hackleman, Haworth, Hendricks, Hough, Johnston of Parke, LaRue, Major, Neff, Oliver, Rhodes, Roe, Scott, Tobin, Underwood and Wilson—26.

Those who voted in the negative were,

Messrs. Bell, Bowman, Cardwell, Cree, Culbertson, Dykeman, Givan, Harney, Henderson, Humphries, Johnson of Floyd, Maxwell, Peed, Ringo, Sarnighausen, Skinner, Slater, Smith and Stockslager—19.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Ordered, that the Secretary inform the House of the passage of the bill?

On motion by Mr. Friedley of Lawrence, the Senate took a recess until 2 o'clock this afternoon.

AFTERNOON SESSION.

Senate re-assembled, President in the chair.

On motion by Mr. Neff, Engrossed House Bill No. 174, (the Temperance Bill), was made the special order for 10 o'clock a. m. to-morrow.

Mr. Smith moved to amend by making the bill a special order at this hour.

Which was not agreed to.

The question recurring on the motion by Mr. Neff,

It was agreed to.

Mr. Rhodes made the following report :

MR. PRESIDENT :

The Committee on Fees and Salaries, to whom was referred Engrossed House Bill No. 453, entitled "An act regulating the fees of officers," have had the same under consideration and have directed me to report the same back to the Senate recommending the following amendments, to wit :

Strike out all after the enacting clause and insert in lieu thereof the following :

FEES OF THE CLERK OF THE SUPREME COURT.

Sec 1. The fee of the Clerk of the Supreme Court shall be as follows, to wit :

Every writ of process under seal.....	50
Copy of record or other paper per sheet of one hundred words, (four figures counting as one word,) or if the whole number of words in such copy be less than one hundred.....	10
Entering satisfaction of record.....	10

Taking, approving and recording official bond and all affidavits connected therewith	\$1 00
Entering action on docket.....	10
Administering an oath.....	05
Making complete record after judgment, per sheet of one hundred words, (four figures counting as one word).....	10
Certificate and seal.....	50
Making out advertisement for non-resident defendant, including certificate and seal.....	50
For every one hundred words (four figures counting as one word) contained in any writing required by law to be done by him and for which there is no specific allowance	10
Endorsing on supersedeas direction to the clerk of the Superior Court.....	25
Docketing judgment.....	10

AUDITOR OF STATE.

Sec. 2. The salary of the Auditor of State shall be three thousand dollars, and two thousand five hundred dollars for deputy hire, per year, to be paid in quarterly installments out of the State Treasury out of any funds not otherwise appropriated.

Sec. 3. All fees now or hereafter required by law to be paid to the Auditor of State by foreign insurance companies or their agents, under an act regulating foreign insurance companies doing business in this State, describing the duties of the agents thereof, and of the Auditor of State in connection therewith, and providing penalties for the violation of this act, approved December 21, 1865, shall hereafter be paid into the State Treasury by such companies or agents, and the Auditor shall not examine the statement required by this act, nor issue the certificate therein provided for, until the receipt from the Treasurer of State is filed with him, setting forth that such fees have been paid into the State Treasury, and when so paid in said fees shall become a part of the general fund of the State, and the Auditor shall have no claim thereon or against the State therefor. And all fees now allowed by law and heretofore paid to the Auditor for official services performed by him, shall hereafter be paid into the State Treasury and become the property

of the State ; further, that the Auditor shall be allowed to receive as his fees for such collection from insurance companies the sum of ten per centum of the amount so collected.

SECRETARY OF STATE.

Sec 4. There shall be allowed to the Secretary of State an annual salary of \$2,000 and the further sum of \$1,000 for deputy hire, which sum shall be paid in quarterly installments out of the State Treasury out of any funds not otherwise appropriated.

Sec. 5. In addition to the compensation provided for in the preceding section the Secretary of State shall be entitled to the following fees, to be paid to the person for whom the services is rendered, to wit :

For each certificate with seal	\$1 00
For each commission to commissioners of deeds and filing qualifications.....	1 50
For attestation and seal other than herein exempted.....	50
For filing or recording each article, charter for certificate of incorporation, not exceeding two hundred words.....	1 00
For all recording and copying of records, papers and documents not otherwise provided for, per one hundred words, (four figures counting as one word).....	10

All fees above provided for to be paid by the party for whom the services are rendered ; *Provided*, That no fees shall be charged against the United States or this or other States or any county of this State, nor against any officer of either of them for any attestation, certificate or paper by them for official use.

COUNTY CLERKS' FEES.

Sec. 6. That the clerks of the Circuit, Superior and Criminal Courts of this State shall tax and charge upon proper books to be provided and kept in their offices for the services by them performed in said county the fees and amounts following, to-wit :

For each writ, summons or other process under seal, except fee bills, executions and subpoenas	50
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For each subpoena, to include all witnesses of one county called for at one time.....	25
For each one hundred words of copy of any record or paper when required, (four figures constituting one word).....	10
For all entries in order books or complete record when no specific fee is allowed, per one hundred words, (four figures counting as one word).....	10
For receiving and entering a verdict.....	10
For swearing a jury.....	10
For administering oath in the court, to include all persons sworn at any time.....	05
For making out notice to non-resident defendant, for marriage license, to include all affidavits, recording certificate, filing papers, registering and indexing.....	1 00
For taking, approving and attesting stay of execution, including all affidavits.....	25
For issuing fee bills, for fees not his own, per one hundred words, (four figures counting as one word).....	10
For issuing execution or decree, sealing, certifying and docketing the same and recording the return.....	1 00
For filing, recording and docketing a transcript of judgment to become a lien on real estate and entering satisfaction of same.....	1 00
For each affidavit, not otherwise provided for, (no charge shall be made for any affidavit not expressly authorized by law).....	20
For each certificate and seal, except to process and affidavits and except as to soldiers and seamen, their widows and heirs in application for pay, bounties and pensions.....	50
For taking, approving and recording official bonds, including all affidavits	1 00
For attending as clerk of the board of canvassers per day...	2 50
For issuing and recording declaration and naturalization of any person desiring naturalization.....	1 00
For issuing certificate of naturalization and affidavit of abjuration of allegiance.....	1 00
For docketing each cause on the judgment and execution docket	10
Clerks shall tax in each civil cause to the losing party, as a part of fees of the case, to be collected as the other costs, or paid into the county treasury, a direct fee of...§	2 00

And such clerks shall furnish, at their own expense, all stationery and blanks required for use in their offices respectively, excepting bound records, fee books, cash books, order books and dockets.

In criminal proceedings, for taking a recognizance.....	\$ 25
Every writ or other process.....	50
Making record, per one hundred words.....	10
Copy of record when required, per sheet of one hundred words, (four figures counting as one word).....	10
For empowering and swearing a jury.....	25
Swearing each witness or bailiff.....	05
Receiving and entering verdict.....	10
Entering defendant's plea of guilty.....	10
All allowances made by the court at any time shall be included in one certificate by the clerk, and he shall be entitled for said certificate, and to be included therein, discharging a recognizance.....	10

Sec. 7. In estates of five hundred dollars, and under, taken by the widow, no costs or fees shall be taxed or collected.

Sec. 8. The clerk shall keep a cash book, in which he shall enter consecutively, and as received, each sum of money by him received, with the date of such receipt, with a brief mention of the cause or matter in which it was received, which shall be kept open for inspection during his continuance in office, and shall be delivered to his successor in office.

Sec. 9. Such clerk shall also keep a register of witness and other fees not his own, in which he shall enter as soon as possible the name of all persons (alphabetically) for whom money has been paid into his hands, stating plainly the name, in what cause, and in which fee book and page taxed, the amount so paid, when paid into his hands and when paid out, which book or register shall be at all times open for inspection in some conspicuous place in his office, and shall turn over to his successor in office.

Sec. 10. The fees provided in this act for Clerks of the Circuit Courts shall not be taxed to or charged against the estate of the deceased in the regular course of administration, but in lieu of fees in such cases and in full compensation for services therein performed such Clerks shall tax and receive the following charges, to-wit:

For estates where the total personal assets, as shown by the inventories and sale bills on file, do not exceed one thousand dollars, for the first year such estates are in court, at the rate of one-half of one per centum on such assets; for the second year such estates are in court, one per centum, and for each year thereafter, one-half of one per centum; for estates when such assets amount to more than one thousand and not over three thousand dollars, for the first year said estates are in court, one-fourth of one per centum on such assets; for the second year such estates are in court, three-fourths of one per centum, and for each year thereafter, one-fourth of one per centum; for estates where such assets are over three thousand and not more than six thousand dollars, for the first year such estates are in court, the sum of ten dollars; for the second year such estates are in court, twenty-five dollars, and for each subsequent year, ten dollars; for estates whose assets exceed six thousand dollars, for the first year, fifteen dollars; for the second and third years, twenty-five dollars each year, and for each subsequent year ten dollars; *Provided*, That this section shall only apply to estates upon which letters of administration are granted after the taking effect of this act.

CLERKS' FEES IN GUARDIANSHIP.

Sec. 11. No fees or charges shall be made by Clerks against the estates of minors except as below provided:

For application for letters and statements, including all affidavits, and for filing and recording the same, and for the taking, approving, acknowledging, filing and recording bonds, and issuing, filing and recording letters, to include all the services connected therewith, for each two years such guardianship is pending in the courts, the Clerk shall receive one dollar when the assets in the hands of the guardian do not exceed one thousand dollars, and two dollars when such assets exceed that sum.

AUDITORS' FEES.

Sec. 12. The Auditor of each county shall be allowed the sum of fifteen hundred dollars per year for his services and no more, except as provided for in this act; when the population of the

county exceeds fifteen thousand, as shown by the last preceding census taken by the United States. The additional sum of seventy-five dollars for each one thousand inhabitants of such county over fifteen thousand, shall be allowed to such Auditor. Such allowance shall be made in quarterly installments by the board of county commissioners during their regular session in March, June, September and December, and paid out of any county revenue of such county not otherwise appropriated, but payment shall not be made in advance of services rendered.

Sec. 13. In addition to the compensation provided for in the preceding section, auditors may charge to, and receive and collect from, the persons for whom such services are rendered, the following fees to-wit:

For copies of all records, deeds and other writings not herein provided, for each one hundred words, (four figures counting as one word,) to be paid for by the persons requiring the service.....	10
For writing affidavit and swearing affiant thereto.....	25
For each license to be paid for by the licensee.....	\$1 00
For each subpoena, including all witnesses of a county to be paid by the person ordering the same.....	50
For every entry and transfer of land for taxation, to be paid by the person requesting such transfer for each tract or town lot.....	10
For each tax deed, to be paid by the person receiving such deed, including acknowledgment and registry.....	1 00
For taking and approving bond and recording the same, to be paid by the party giving the same	1 00
Making certificate of tax sale, including registering and rendering the same, to be paid by the person receiving the same.....	50

The services rendered by the auditor in any matter litigated before the board of county commissioners the same fees shall be taxed and collected by him as are allowed clerks for similar services, but no fees or charges for such services shall be charged against the county or paid out of the county treasury.

TREASURERS' FEES.

Sec. 14. The treasurer of each county shall be allowed the sum of one thousand dollars annually as such officer, and no more, and the same shall be allowed by the board of county commissioners in quarterly installments at their regular sessions in March, June, September and December, and paid out of any money in the treasury belonging to the county and not otherwise appropriated.

Sec. 15. County treasurers shall also charge and receive as a further compensation, at the rate of three-fourths of one per centum on the first one hundred thousand dollars of taxes by them collected, in excess thereof one-half of one per centum, to be paid as in section 17. They shall also receive and retain out of all delinquent taxes collected two per centum, when paid voluntarily and without levy, and six per centum if paid after levy, and the treasurer shall be allowed the same fees and charges for making distress and sale of goods and chattels for the payment of taxes as may be allowed by law to constables for making levy and sale of property on executions. Treasurers shall, for the services in going to Indianapolis and returning by the nearest route by rail to make their annual settlements with the State Treasurer, receive from the State Treasurer at the rate of ten cents per mile.

Sec. 16. The board of county commissioners shall make no allowance not specially required by this act to any county auditor, clerk, sheriff or treasurer, either directly or indirectly, nor to any clerk, deputy, bailiff or employee of such officer, nor shall they employ or authorize the employment of any deputy, bailiff or clerk for such officer, and for violation of the provisions of this section each member of such board favoring the same shall be guilty of a misdemeanor, and on conviction shall be fined in a sum not less than double, nor more than five times the amount of such allowance, to which may be added imprisonment in the county jail for any period not more than sixty days, and the office of such commissioner shall be declared forfeited.

SHERIFFS' FEES.

Sec. 17. The Sheriffs of the several counties of the State shall tax and charge the following fees, and none other, to-wit:

For serving a writ in a criminal case and taking into custody	50
For every mile necessarily traveled in going and returning to serve process.....	10
For taking bail.....	25
For taking recognizance.....	25
Returning writ.....	10
For summoning a jury of twelve with mileage as above.....	\$1 00
For a less number.....	50
For executing writ of possession and mileage as above.....	1 00
For every person committed to jail.....	25
Discharging each prisoner from jail.....	25
For holding an inquisition and returning the same.....	1 50

For removing persons to the Insane Asylum the same compensation as allowed for taking convicts to the State Prison, to be paid out of the State Treasury :

Serving a summons with mileage as above.....	25
Serving a subpoena with mileage as above.....	25
Attending a prisoner before a judge when surrendered by his bail and receiving a prisoner into custody.....	25

Selling property on execution, a commission of three per centum on the first three hundred dollars and one per centum on any excess above that amount, but when the money is paid to him without sale, one-half of the above commission only shall be allowed, but no mileage shall be allowed on such writ :

Taking a valuation of lands.....	50
Taking a replevin bond.....	50
Serving a <i>capias ad satisfaciendum</i>	50
Levying on property and advertising the same, with mileage as above.....	50

When no money is made no other fee or reward shall be allowed on execution except for the expense of keeping property.

Making a certificate and deed of sale of real estate on execution or decree	\$1 00
Calling and empanneling a jury.....	10
Serving a writ of attachment when property is taken, with mileage as above.....	25

For each day after the first in making inventory and appraisement of property taken under writ of attachment.....	\$2 00
Returning same.....	25
For the actual number of miles necessarily traveled in going and returning to post up notices for the sale of any real or personal property, to be taxed and collected as the other costs in the cause are taxed, for each mile so traveled.....	10
For taking each convict to State Prison, per mile, going and returning by the nearest route by railroad	10

And for each additional convict taken at the same time the actual expenses of the additional convicts shall be paid out of the State Treasury on certificate of the warden of the prison.

Sheriff shall not be entitled to any fees for services performed by their bailiffs when such bailiffs are receiving pay by the day from the county at the time such services are rendered. The sheriff shall appoint as many bailiffs at each term of the court as the business of the court and grand jury shall require, under the advice and consent of the judge of the court as to number required; <i>Provided</i> , That if the sheriff does not attend upon the court in person the court may appoint one bailiff to attend in the court room during term time, paying court bailiffs	\$2 00
And riding bailiffs.....	2 50

The fees taxed on any process served by bailiffs shall be collected and paid into the county treasury and shall belong to the county.

For postage paid on letters received from or directed to the Clerk of the Supreme Court enclosing process issued by said court, the amount thereof to be returned as an item of charges for boarding each prisoner lawfully in his charge, per day. To be paid out of the county treasury	50
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In criminal cases not provided for, the like fee as for services in civil cases, shall be allowed.

For taking persons to the House of Refuge the same compensation as he is allowed for taking convicts to the State Prison, to be paid

out of the county treasury. For collecting fee bills, except for his own fees, six per cent. on the amount collected. For taking a prisoner to another county, the same compensation as allowed for taking a prisoner to the State Prison, to be paid by the county requiring the services.

For each commitment or discharge of a prisoner under the authority of any city or incorporated town, to be paid by such city or town..... 25

In all cases where the sheriff shall perform any services required by law to be performed by him, and there is no provision for its payment, the board of county commissioners shall allow and pay to such sheriff the same compensation as is allowed by law for similar services, but the sheriff shall make out an itemized statement of all such services performed for such board, before such allowance is made, but no such allowance shall be made unless such statements shall be filed with the board ten days before the commissioners' court meets, and any citizen may resist the allowance of said account.

Sec. 18. Legal advertising growing out of the duty of the sheriff, clerk, treasurer, auditor, executors, administrators, guardians, trustees and assignees, except the printing of the delinquent tax list, shall be by such officer charged up collected and paid over to the printer; and when such printing is done for the county, the board of county commissioners shall allow the same and pay it out of the county treasury according to the rate herein fixed. The compensation of such printer for legal advertising shall be as herein set forth, to-wit:

For each advertisement, per square of two hundred and fifty
ems, first insertion..... \$1 00
For each additional insertion..... 50

And in case such officer shall be unable to procure such advertising for the price fixed herein, it shall be sufficient for him to post up written or printed notices as the law requires, and such advertisement in a newspaper shall be dispensed with. The county commissioners shall, at their June session in each year, let the county printing and legal advertising to the lowest bidder; *Provided*, That no greater sum shall be allowed than is now allowed by this act.

RECORDERS' FEES.

Sec. 19. The fees for County Recorder shall be as follows, to-wit:

For recording deeds and mortgages and indexing and taking acknowledgments to the same.....	\$1 00
For certificates not under seal and taking acknowledgments of deeds and mortgages.....	25
For each certificate under seal.....	50
For recording all other instruments and giving certified copies of any record per each one hundred words.....	10
For recording town plat, the first one hundred lots or under	3 00
For each additional lot.....	01
For issuing fee bills for fees not his own, sealing and certifying the same.....	50

And each Recorder shall furnish, at his own expense, all stationery used by him in the discharge of his official duties, excepting such record books as are required by law.

Sec. 20. It shall be the duty of every Recorder in the several counties of the State, at the expiration of his term of office, to deliver over to his successor in office all deeds, mortgages and other instruments in his hands left for record, whether the fees for recording the same have been paid or not, and it shall be the duty of ex-Recorders who have withdrawn such deeds, mortgages or other instruments from the Recorder's office to deliver the same to his successor in office or Recorder of said county where such deeds, mortgages or other instruments shall be at all times kept until paid for and withdrawn by the parties entitled thereto, but such retiring Recorder may have the fee bill delivered to him for any such deeds, mortgages, or other instrument on which he has fees for recording the same remaining unpaid, and the acting Recorder may demand his fees in advance and before entering and recording any such deeds, mortgages or other instruments.

Sec. 21. In cases where recorders, clerks, auditors or other public officers have recorded any deed, mortgage or other instrument in a printed record or book, the same in all such cases are hereby legalized, and county recorders are prohibited from using

printed forms for record books in which to record any instrument, after such printed records as may now be in use belonging to the county are filled.

COUNTY SURVEYORS' FEES.

Sec. 22. The county surveyors' fees shall be as follows, to-wit :

For every corner by him located and perpetuated.....	\$1 00
For every line run, in dividing and running up sections or parts of sections, per mile.....	1 00
For going to and returning from a survey, for each mile necessarily traveled.....	05
Surveying a town lot.....	2 00
Every additional lot at one time.....	1 00
Running a division line one mile or under.....	1 00
For every survey by him plainly bounded as the law directs, and for a plat of such survey, after the delivery of such plat, when the survey shall not exceed four hundred acres.....	5 00
For every one hundred acres of land, or less, contained in one survey above four hundred acres.....	1 00
Surveying an acre of land or under.....	1 50
Services in locating roads by authority of law, per day.....	2 50
And for each mile necessarily traveled.....	05
Copy of plat of land or certificate of survey.....	1 00
Making out a complete report of survey made of any road, including notes, etc.....	1 00
If such survey exceeds five miles.....	2 00
In all surveys made by the authority of the board of county commissioners or township trustee, chain-men and ax-men shall receive per day.....	1 50

COUNTY COMMISSIONERS' FEES.

Sec. 23. The county commissioners' fees shall be as follows, to-wit:

For each day's attendance as a member of the county board or boards of equalization, each commissioner shall receive.....	\$4 00
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ROAD VIEWERS' FEES.

Sec. 24. Viewers and reviewers of roads shall receive fees as follows, to-wit:

For each day engaged in viewing or reviewing a road by order of the county board..... \$1 50

PROSECUTING ATTORNEYS OF CRIMINAL CIRCUIT COURT FEES.

Sec. 25. The circuit and criminal court prosecuting attorneys' fees shall be as follows, to-wit:

For docket fee on plea of guilty in felony..... \$5 00
 For docket fee on plea of guilty in misdemeanor..... 4 00
 Docket fee before a justice of the peace and plea of guilty on conviction 3 00
 Docket fee in divorce case when successfully resisted and total taxed as costs and paid by the losing party..... 5 00
 Docket fee on forfeited recognizance..... 5 00

And when he prosecutes to final judgment against the defendant, ten per cent. on the money collected.

Docket fee on plea of not guilty in misdemeanors..... 5 00
 In all other cases where the Circuit, Criminal Circuit or district prosecuting attorney is required to prosecute or defend, the fee shall be..... 5 00

Provided, That no fee shall be taxed unless the prosecuting attorney, or his deputy, shall have been present and rendered services in the case.

JUSTICES' FEES.

Sec. 26. The fees of the justices of the peace shall be as follows, to-wit:

For each summons or copy..... 25
 For every examination or criminal information on oath..... 50

Swearing each witness.....	05
Every warrant in a criminal cause.....	25
Every trial on complaint for unlawful detention of lands or tenements	\$1 00
Issuing every attachment for contempt	25
Taking acknowledgment of a deed or power of attorney...	25
Order for removing paupers from county	50
Certifying description of a boat adrift or an estray.....	35
Warrant of certificate of appointment.....	25
Taking and certifying depositions	25
And for each one hundred words therein.....	10
For each process required by law and not herein enumera- ted	25
For every writing or record not herein provided for, every one hundred words	10
Every trial on default	25
Every trial where default is made.....	1 00
For each additional day occupied in trial after the first.....	1 00
For certifying copies of all proceedings for each one hund- red words	10
Entering continuances.....	10
Every bond or recognizance.....	25
Every venire for summoning a jury	25
Subpoena for witnesses to include all called for at one time...	25
Each transfer, assignment or docket of judgment	25
Issuing execution.....	25
Each oath not herein or otherwise provided.....	05
Rendering every final judgment.....	25
Trial of right of property and judgment.....	1 00
Swearing the jury.....	10
Making up docket, for every one hundred words.....	10
Each writ of attachment against property	25
Making return of fines for each mile necessarily traveled, to be paid out of the county treasury.....	10
Transmitting papers in case of appeal.....	25

JURORS' FEES.

Sec. 27. Fees of jurors shall be as follows, to-wit:

Every juror shall receive in the Criminal Court, to be paid
out of the county treasury, per day..... \$2 00

For each mile necessarily traveled.....	05
Every juror shall receive in the Circuit Court and Superior Court, to be paid out of the county treasury, per day...	\$2 00
For each mile necessarily traveled.....	05
Every grand juror sworn, for his services as such, to be paid by the county, per day.....	2 00
And for each mile necessarily traveled	05
Every juror attending a trial, per day, before a justice of the peace, to be taxed with the costs of the suit.....	1 00
And for each mile necessarily traveled.....	05

CONSTABLES' FEES.

Sec. 28. Constables shall receive fees as follows, to-wit:

For serving a summons or warrant on each person named therein.....	25
For every mile traveled in going or returning to serve in process or subpoena.....	05
When two or more are named in such process, mileage shall be allowed for the distance necessarily traveled.....	05
A copy of the process left at the defendants residence.....	25
Serving subpoena for each person therein named.....	20
Returning each writ.....	10
Bail bond.....	25
Serving execution and mileage as above.....	25
Sale of goods where the amount of goods does not exceed six dollars	25

On all sums above five dollars, five per centum; on all moneys collected on execution without sale, one-fourth of the above commission.

Returning execution.....	10
Summoning a jury in any case.....	50
Attending a jury trial.....	50
Posting up advertisements of sale.....	50

CONSTABLES' FEES IN CRIMINAL CASES.

For serving warrants on each person named therein.....	25
Serving subpoena.....	25

Traveling to serve process, per mile.....	05
Attending examination on trial of a person charged with a crime or misdemeanor.....	25
If more than one, an additional for each.....	25
Committment of each person to prison.....	25
And for each mile necessarily traveled.....	05

For services not herein enumerated, the same fees as in civil cases.

WITNESS FEES.

Sec. 29. Witness fees in the Circuit, Superior and Criminal Courts shall be as follows, to-wit:

Every witness attending in his own county, per day.....	\$1 25
Every witness attending from any other county, per day.....	1 25
For each mile necessarily traveled in going to and returning from court from his residence, not to be computed beyond the limits of adjoining county.....	05

Sec. 30. Witness fees before Justice or Coroner shall be as follows, to-wit:

Attending, per day.....	75
And mileage for each mile necessarily traveled.....	05

NOTARIES PUBLIC AND COMMISSIONERS OF DEEDS' FEES.

Sec. 31. The fees of Notaries Public and Commissioners of Deeds shall be as follows, to-wit:

For each certificate and seal.....	50
Taking depositions or other writing, for each one hundred words.....	10
Administering an oath.....	10
For each protest.....	50
Each notice thereof.....	25
When required, for each one hundred words in recording or copying such protest.....	10
Taking an acknowledgment of a deed, mortgage or power of attorney or other instrument and seal.....	25

CORONERS' FEES.

Sec. 32. Fees of Coroners shall be as follows, to-wit :

Empaneling and swearing a jury and witnesses and making and returning inquisition for the view of each body, for first day... ..	\$5 00
For each additional day	2 50
And mileage for each mile necessarily traveled.....	05

When Coroners perform the duties required of Sheriffs they shall have the same compensation allowed to Sheriffs and to be paid in the same way. Such Coroner shall have power to employ a clerk at a pay not exceeding two dollars per day, to take down the evidence at any inquisition, to compel the attendance of jurors by attachments during the progress of the investigation and also to compel the attendance of witnesses by attachment.

TOWNSHIP ASSESSORS' FEES.

Sec. 33. Township Assessors shall receive for each days' actual services the sum of \$2.50.

TOWNSHIP TRUSTEES' FEES.

Sec. 34. The fees of Township Trustees shall be as follows, to-wit :

For each days' actual services they shall be allowed, to be paid out of the township fund.....	\$2 50
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But in estimating such number of days, fractions of a day less than one-half shall not be counted, and fractions of a day greater than one-half shall be counted as a whole day.

Sec. 35. No allowance shall be made or paid out of the county treasury by the judge of the court or the board of county commissioners for any service rendered by any county officer in a criminal court, nor for any service in a civil cause, nor for any extra services as such officer, nor for deputy hire.

Sec. 36. The Secretary, Auditor and Treasurer of State shall furnish, at the expense of the State, the necessary records, books and stationery for the offices of Secretary, Auditor and Treasurer of State, and for the Attorney General and Clerk of the Supreme Court, and fuel and stationery for the use of the General Assembly.

Sec. 37. If any of the officers named in this act shall tax any fees or make any charge for services not by him performed, or shall charge for such services any other fees or at any higher rate than is allowed by this act, any such officer shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not less than five dollars, to which may be added imprisonment in the county jail for any period not exceeding one year; and any such officer so offending a second or subsequent time, upon conviction of any such offence, shall forfeit the office by him held and exercised, and rendered incapable of holding any office of trust or profit for such determinate period as the court or jury trying the case may fix.

Sec. 38. All fees of coronor's inquest shall be paid out of the county treasury.

Sec. 39. The clerks of the supreme, circuit, superior and criminal courts shall post up in some conspicuous place in their offices, and there keep a table of their fees, and on failure so to do shall have no right to demand or receive any fees for services rendered by them as such clerk, during the time such tables are not so posted up.

Sec. 40. Witnesses shall claim their fees at such time as they attend and not afterwards, and clerks shall note such fees at the time they are claimed, but no fees shall be allowed the clerk for any affidavit or any other proof of such attendance. And sheriffs and coroners are hereby required to endorse upon all process directed to them their fees, at full length, and all clerks shall, in a book to be kept for that purpose, enter all their fees as the services are rendered, and the clerk of the supreme court or of any inferior court of record shall have power, while he is in office, to issue fee bills from the books aforesaid, and the records and papers on file in his office for services rendered by himself, or for services rendered by any other person in said court, at any time after such services are rendered.

Sec. 41. No action shall be maintained, or any fee bill due to

any person so long as the party owing the same shall reside within the jurisdiction of the court issuing the same.

Sec. 42. Each circuit court, superior and criminal court, or a judge thereof, in vacation, or a justice of the peace, as the case may be, if a question arise concerning any bill of costs, or if the person charged therewith shall allege payment thereof, shall, upon motion of any party interested therein, and reasonable notice thereof, determine according to the rights of the parties thereto, and make orders accordingly.

Sec. 43. After five years from the termination of any suit in which services have been rendered no fee bill shall issue for such service until the party claiming the same shall give five days' notice in writing to the party charged, to appear before the court in which the fees accrued, or the judge thereof in vacation, or a master in chancery, or a justice of the peace, as the case may be, and show cause against the issuing thereof, and then if no sufficient cause be shown the court, judge, master in chancery or justice of the peace, as the case may be, shall order the said fee-bill to be issued.

Sec. 44. Every fee bill shall be made out in words at full length and figures with a statement of each item in plain phraseology, and each officer may, at the foot of any of his fee bills, make out a mandate to the proper officer, commanding him to collect the same as required by law and make due return thereof, and shall sign the same, and from the time such fee bill shall come into the hands of such collecting officer, it shall have the force and effect of an execution from the Circuit Court and shall be treated as such, and shall operate as a lien upon the real and personal estate of the debtor, except as to the fee bills of justices of the peace, constables and township officers, which shall be treated as, and have the force and effect of, an execution issued by a justice of the peace; *Provided*, no fee bill shall be so collected unless issued in the manner above provided within six years after the services are rendered.

Sec. 45. Any successor of such officer may issue fee bills for the fees of his predecessor or predecessors in office in the manner provided for in the foregoing section; *Provided*, Such fee bills are issued within six years after the services are rendered. Any clerk of Circuit Court, Supreme or Criminal Court may issue the fee

bills of the sheriff or former sheriffs of his county and any justice of the peace may issue the fee bills of a constable or former constable of his township; *Provided*, The same is done in the manner and within the time specified in the preceding section.

Sec. 46. In all criminal cases where the person accused shall be acquitted, no costs shall be taxed against such person nor against the State or county for any services rendered in such prosecution by any Prosecuting or District Attorney, Clerk, Sheriff, Coroner, Justice of the Peace, Constable or witness, but in all cases of a conviction, such fees and costs shall be taxed and collected from the person convicted. It shall be the duty of each Clerk, Treasurer and Sheriff of the several counties in this State, and all other officers receiving money in their official capacity, at the expiration of his term of office, to pay over to his successor in office all moneys of every description, to whomsoever due, remaining in his hands at the expiration of such term, taking the receipt of such successor therefor, and such successor and his sureties shall be liable therefor on his official bond as if the same had been originally collected by him, and any Clerk, Treasurer or Sheriff so failing to pay over such moneys, or any Clerk, Treasurer or Sheriff who shall fail to pay over any moneys to parties entitled to receive the same, when called on to do so, shall be deemed guilty of embezzlement and on conviction thereof shall be fined in any sum not exceeding one thousand dollars and be imprisoned at hard labor in the State Prison not less than one nor more than five years.

Sec. 48. The Directors of the State Prison, South, shall each receive five hundred dollars per annum and no more.

Sec. 49. The trustees of the Hospital for the Insane, the Deaf and Dumb and the Blind Asylum, shall each receive three hundred dollars per annum and no more, and the president of the board of trustees of said asylums shall receive five hundred dollars per annum and no more.

An act entitled "An act regulating the fees of officers, and repealing former acts in relation thereto," approved March 20, 1855.

Also, an act entitled "An act to amend the 9th section of an act regulating the fees of officers, and repealing former laws in relation thereto," approved June 4, 1860.

Also, an act entitled "An act to amend section 5 of an act entitled 'an act regulating the fees of officers, and repealing former acts

in relation thereto," approved March 2, 1855. Approved March 3, 1865.

Also, an act entitled "An act to amend section 16 of an act regulating the fees of officers, and repealing former acts in relation thereto," approved March 2, 1855. Approved April 20, 1869.

Also, an act entitled "An act to amend section 20 of an act entitled 'an act regulating the fees for officers, and repealing former acts in relation thereto, approved March 2, 1856.. Approved March 9th, 1867.

Also, an act entitled "An act regulating the fees, salaries and duties of certain officers therein named, and prescribing penalties for the violation of its provisions," approved February 21, 1871, be and the same are hereby repealed.

Provided, That nothing in this act shall be so constructed as to repeal an act entitled "An act regulating the fees of clerks of courts, justices of the peace, and notaries public, in certain cases," approved March 9, 1867: and, *provided further*, that this act shall not be so constituted as to repeal an act entitled "An act to prevent the defalcation of certain officers therein named, and to provide penalties therefor," approved March 1, 1855; and, *provided further*, that in all cases where clerks and sheriffs have not made settlement with their successors in office as required by the 49th section of an act entitled "An act regulating the fees, salaries and duties of certain officers therein named, and prescribing penalties for the violation of its provisions," approved February 21, 1871, and are liable to indictment and conviction under said section 49 and section 38 of such acts; such clerks and sheriffs shall continue and remain liable to indictment, prosecution and conviction under said sections, as though said act had not been repealed; and, *provided further*, that an act entitled "An act to increase the salaries of the prosecuting attorneys of the criminal circuit courts, and providing for the payment of the increase out of the proper county treasuries," approved March 4, 1867, be and the same are hereby repealed; and, *provided, further*, that all laws and parts of laws coming in conflict with the provisions of this act are hereby repealed, but no act or part of act repealed by an act entitled "An act regulating the fees of officers and providing penalties for its violation, repealing certain acts therein named, and prescribing certain duties to be performed by State, county and township

officers, and matters properly connected therewith, and declaring an emergency," approved March 8, 1873, shall be revived by the repeal of said act; and *provided, further*, that an act entitled "An act to regulate the mileage of sheriffs in conveying convicts to the State Prison, and of county treasurers in making deposits, and in the settlements with the Treasurer and Auditor of State, and mileage of members of the General Assembly," approved June 17, 1852, be and the same are hereby repealed.

Also, that the title to said act be stricken out and the following inserted as the title to said bill, to-wit: "An act fixing the fees, charges and salaries of the officers and persons therein named, providing penalties for its violation, and repealing certain laws," and when so amended they recommend its passage.

The question being on concurring in the report of the Committee on Fees and Salaries,

Messrs. Bell and Slater demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bearss, Boone, Bowman, Bunyan, Cardwell, Chapman, Cree, Daggy, Dykeman, Friedley of Lawrence, Friedley of Scott, Givan, Gooding, Grove, Hackleman, Harney, Haworth, Hendricks, Hough, Humphries, Johnson of Floyd, Johnston of Parke, Major, Maxwell, Neff, Oliver, Rhodes, Ringo, Roe, Scott, Tobin and Underwood—35.

Those who voted in the negative were,

Messrs. Bell, Culbertson, Henderson, LaRue, Peed, Sarnighausen, Sleeth, Smith, Stockslager and Winterbotham—10.

So the report of the committee was concurred in.

Mr. Rhodes moved to reconsider the vote whereby the report of the committee was concurred in.

Which was agreed to.

The question now being on concurring in the report;

S. J.—68

Mr. Rhodes moved to amend section 12 line 10 by inserting the words "one hundred" instead of "seventy-five."

Mr. Stockslager moved that the amendment of Mr. Rhodes do lie on the table.

Which was not agreed.

The question recurring on the amendment of Mr. Rhodes,

Mr. Rhodes demanded the previous question.

The question being, shall the main question be now put?

It was so ordered.

The ayes and noes being taken under the rule,

Those who voted in the affirmative were,

Messrs. Bell, Chapman, Daggy, Dykeman, Givan, Hackleman, Hendricks, Humphries, Johnson of Floyd, Johnston of Parke, LaRue, Rhodes, Ringo, Roe, Sarnighausen, Scott, Skinner, Slater, Sleeth, Tobin, Underwood, Wilson and Winterbotham—25.

Those who voted in the negative were,

Messrs. Baxter, Beardsley, Bearss, Boone, Bowman, Bunyan, Cardwell, Culbertson, Friedley of Lawrence, Friedley of Scott, Grove, Haworth, Hough, Major, Maxwell, Neff, Peed and Stockslager—18.

So the amendment was agreed to.

Mr. Givan offered the following amendment:

Amend section 22, that the recorder be allowed one dollar and twenty-five cents for recording deeds and mortgages, instead of one dollar.

Mr. Dykeman moved that the amendments do lie on the table.

Messrs. Bell and Givan demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Beardsley, Bearss, Boone, Cardwell, Cree, Daggy, Dykeman, Friedley of Scott, Hackleman, Haworth, Henderson, Hough, Humphries, Johnson of Floyd, LaRue, Major, Neff, Rhodes, Ringo, Sleeth, Tobin, Underwood and Wilson—23.

Those who voted in the negative were,

Messrs. Baxter, Bell, Bowman, Bunyan, Chapman, Culbertson, Davidson, Friedley of Lawrence, Givan, Grove, Harney, Hendricks, Johnston of Parke, Maxwell, Oliver, Roe, Sarnighausen, Scott, Slater, Stockslager and Winterbotham—22.

So the motion was agreed to and the amendment laid on the table.

The question being on concurring in the report,

Mr. Rhodes demanded the previous question.

Which was seconded by the Senate.

The question being, shall the main question now be put?

It was so ordered.

Messrs. Bell and Peed demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Boone, Bowman, Bunyan, Cardwell, Chapman, Cree, Culbertson, Daggy, Davidson, Dykeman, Friedley of Lawrence, Friedley of Scott, Givan, Gooding, Grove, Hackleman, Harney, Hendricks, Hough, Howard, Humphries, Johnson of Floyd, Johnston of Parke, Major, Neff, Oliver, Rhodes, Ringo, Roe, Scott, Smith, Stockslager, Tobin, Underwood and Wilson—37.

Those who voted in the negative were,

Messrs. Bearss, Bell, Haworth, Henderson, LaRue, Maxwell, Peed and Winterbotham—8.

So the report of the committee was concurred in.

Mr. Rhodes moved to suspend the constitutional rule requiring bills to be read on three several days that the bill may be read a second time by title, the amendments considered engrossed, and a third time by sections now.

The ayes and noes being taken under the rule,

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bearss, Boone, Bowman, Bunyan, Cardwell, Chapman, Cree, Culbertson, Daggy, Davidson, Dykeman, Friedley of Lawrence, Friedley of Scott, Givan, Gooding, Grove, Hackleman, Haworth, Hendricks, Hough, Howard, Humphries, Johnston of Parke, Johnson of Floyd, Major, Maxwell, Neff, Oliver, Rhodes, Ringo, Roe, Sarnighausen, Scott, Skinner, Slater, Smith, Stockslager, Tobin, Underwood, Wilson and Winterbotham—43.

Those who voted in the negative were,

Messrs. Bell, Henderson, LaRue, Peed, and Sleeth, —5.

So the constitutional rule was suspended and Engrossed House Bill No. 453, an act regulating the fees of officers and providing penalties for its violation, repealing certain acts therein named, and providing duties to be performed by State, county and township officers, etc., was read a second time by title and a third time by sections.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bearss, Boone, Bowman, Bunyan,

Cardwell, Chapman, Cree, Culbertson, Daggy, Davidson, Dykeman, Friedley of Lawrence, Friedley of Scott, Givan, Gooding, Grove, Hackleman, Harney, Haworth, Hendricks, Hough, Howard, Humphries, Johnston of Parke, Johnson of Floyd, Major, Maxwell, Neff, Oliver, Peed, Rhodes, Ringo, Roe, Sarnighausen, Scott, Skinner, Slater, Stockslager, Tobin, Underwood, Wilson and Winterbotham—44.

Those who voted in the negative were,

Messrs. Bell, Henderson and LaRue—3.

So the bill passed.

The question being, shall the title as amended by the report of the Committee stand as the title of the bill?

It was so ordered.

Ordered, that the Secretary inform the House of the passage of the bill.

Message from the House by Mr. Holmes, Clerk thereof.

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed the following Engrossed House Bills :

House Bill No. 446, entitled "An act to provide that all county orders remaining in the hands of the county auditor unclaimed for a period of five years, shall be paid into the township library fund.

Also, House Bill No. 463, entitled "An act repealing an act entitled 'an act to amend sections 3 and 14 of an act to allow county commissioners to organize turnpike companies, when three-fifths of the persons representing the real estate within prescribed limits petition for the same, and levy a tax for its construction, and provide for the same to be free,' " approved March 6, 1865, approved March 9, 1867, and all the act entitled "An act authorizing the assessment of lands, for plank, macadamized and gravel road purposes, prescribing the manner of assessing and collecting the same,

and repealing the laws on that subject," approved March 11, 1867, approved May 14, 1869, and declaring an emergency.

Also, House Bill No. 411, entitled "An act to provide for entering of record the satisfaction of judgments in the circuit court and the court of common pleas."

Also, House Bill No. 40, entitled "An act to regulate criminal prosecutions before justices of the peace, and to empower them to tax costs against the complaining witness in certain cases."

Also, House Bill No. 435, entitled "An act for the removal of county, township, town and city officers for corruption, incapacity or failure to perform their official duties."

Also, House Bill No. 364, entitled "An act supplementary to an act entitled 'an act to amend section 53 of an act entitled an act to repeal all general laws now in force for the incorporation of cities, and to provide for the incorporation of cities, and prescribing their powers and rights, and the manner in which they shall exercise the same, and regulating such other matters as properly pertain thereto,'" approved March 14, 1867, and declaring an emergency, approved March 10, 1873, and declaring an emergency, defining the terms "auction" and "auctioneer" occurring in said act, and providing that auctioneers may be required to pay a specific sum for license, and declaring an emergency.

And said bills are herewith transmitted for the action of the Senate.

Also, that the House has concurred in Senate amendments to House Bill No. 129.

Engrossed Senate Bill No. 274. A bill to amend section 57 of an act entitled "An act to secure dues from private corporations," etc.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bearss, Bell, Boone, Bowman, Bunyan, Cardwell, Chapman, Cree, Culbertson, Daggy, Davidson, Friedley of Lawrence, Friedley of Scott, Givan, Geoding, Grove, Hackleman, Haworth, Henderson, Hendricks, Howard, LaRue, Major, Maxwell, Neff, Oliver, Peed, Ringo, Roe, Sarnighausen, Scott, Skinner, Stockslager and Underwood—36.

Those who voted in the negative were,

Messrs. Harney, Humphries, Johnson of Floyd, Johnston of Parke, Slater and Tobin—6.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Ordered, that the Secretary inform the House of the passage of the bill.

Message from the House by Mr. Holmes, Clerk thereof.

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed the following Engrossed House Bills:

House Bill No. 454, entitled "An act to amend sections 6, 9 and 13 and repealing section 11 of an act supplemental to an act entitled 'an act to provide for the election, fixing the compensation and prescribing the duties of the Attorney General of the State of Indiana,'" approved February 21, 1855, and repealing an act entitled "An act to amend sections 4 and 7 of an act to provide for the election, fixing the compensation and prescribing the duties of the Attorney General of the State of Indiana," approved June 2, 1861, and prescribing additional duties of clerks of Circuit Courts and prosecuting and district attorneys," approved March 10, 1876.

Also, House Bill No. 416, entitled "An act for the incorporation of mercantile companies."

Also, House Bill No. 459, entitled "An act to protect sheriffs and constables from payment of costs and damages in cases where they levy on property, the title to which is doubtful or in dispute.

Also, House Bill No. 444, entitled "An act providing for the appointment of justices of the peace in cases of vacancy," and the same are herewith transmitted to the Senate.

Mr. Neff moved to take up Senate Bill No. 277.

Which was not agreed to.

On motion, by Mr. Gooding, House Bills on third reading were taken up.

BILLS ON THIRD READING.

Engrossed House Bill No. 101, a bill to regulate public warehouses and warehousing, etc.,

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bell, Boone, Bowman, Chapman, Daggy, Dykeman, Friedley of Lawrence, Gooding, Grove, Harney, Haworth, Hendricks, Henderson, Humphries, Johnston of Parke, LaRue, Major, Maxwell, Oliver, Roe, Sarnighausen, Scott, Skinner, Tobin and Wilson—27.

Those who voted in the negative were,

Messrs. Bearss, Bunyan, Cardwell, Cree, Culbertson, Friedley of Scott, Givan, Hackleman, Howard, Johnson of Floyd, Neff, Peed, Rhodes, Ringo, Slater, Smith, Stockslager, Underwood and Winterbotham—19.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Ordered, that the Secretary inform the House of the passage of the bill.

Engrossed House Bill No. 153, a bill to legalize the acts of the town of Portland.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bearss, Boone, Bowman, Bunyan, Cardwell, Chapman, Culbertson, Daggy, Davidson, Dykeman, Friedley of Lawrence, Friedley of Scott, Hackleman, Harney, Haworth, Henderson, Hendricks, Howard, LaRue, Major, Maxwell, Neff, Oliver, Peed, Ringo, Scott, Skinner, Stockslager, Tobin, Underwood and Wilson—33.

Those who voted in the negative were,

Messrs. Bell, Givan, Gooding, Grove, Humphries, Sarnighausen, Slater, Sleeth and Smith—9.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Ordered, that the Secretary inform the House of the passage of bill.

Engrossed House Bill No. 224. A bill to fix the time of holding court in the counties comprising the Thirty-fifth Judicial Circuit, etc.

Was read a third time.

The question being, shall the bill pass ?

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bearss, Bell, Boone, Bowman, Bunyan, Cardwell, Chapman, Cree, Culbertson, Daggy, Davidson, Dykeman, Friedley of Lawrence, Friedley of Scott, Givan, Gooding, Grove, Hackleman, Harney, Haworth, Hendricks, Howard, Johnson of Floyd, Johnson of Parke, LaRue, Major, Maxwell, Neff, Oliver, Peed, Rhodes, Ringo, Roe, Sarnighausen, Scott, Skinner, Slater, Smith, Stockslager, Tobin, Underwood, Wilson and Winterbotham—44.

No Senator voting in the negative.

So the bill passed.

The question being, shall the title as read stand as the title of the bill ?

It was so ordered.

Ordered, that the Secretary inform the House of the passage of the bill.

Engrossed House Bill No. 200. A Bill legalizing extension of plank, gravel, and township roads, etc.,

Was read a third time.

The question being, shall the bill pass ?

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bearss, Bell, Bowman, Bunyan, Cardwell, Chapman, Cree, Culbertson, Daggy, Davidson, Friedley of Lawrence, Friedley of Scott, Hackleman, Harney, Haworth, Henderson, Hendricks, Hough, Humphries, Johnston of Parke, Maxwell, Neff, Oliver, Peed, Ringo, Roe, Sarnighausen, Skinner and Underwood—32.

Those who voted in the negative were,

Messrs. Givan, Grove, Howard, LaRue, Scott, Slater, Smith, Stockslager and Tobin—9.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Ordered, that the Secretary inform the House of the passage of the bill.

Message from the House by Mr. Holmes, Clerk thereof:

MR. PRESIDENT:

I am directed by the Speaker of the House to inform the Senate that he has signed Enrolled House Act No. 237, an act legalizing certain records, etc.; and also, Enrolled House Act No. 275, an act to divide the State into districts for judicial purposes, etc., and the same are herewith transmitted to the Senate.

The President laid before the Senate the following communication from the Attorney General:

INDIANAPOLIS, March 4, 1875.

MR. PRESIDENT:

I have the honor to acknowledge the receipt of the resolution adopted by the Senate requesting my opinion as to the construction to be given to the following provision in the constitution of the State of Indiana, viz.:

“But no bill shall be presented to the Governor within two days next previous to the final adjournment of the General Assembly, (Section 14, Art. 5.) I have given the question a careful consideration. I have the honor to call the attention of the Senate to the report of the majority of the Judiciary Committee of the Senate at

the regular session of the General Assembly in 1865, (Senate Journal, page 584.)

The report concluded as follows: "For these reasons we come to the conclusion that the session must end at the expiration of the term of sixty-one days, including Sundays, and that bills could only be presented to the Governor for approval as late as Saturday, the 4th inst., we recommend the adoption of the some resolution which was adopted by both Houses in 1857, changing only the dates to make it apply to the present year, as follows:

"Resolved, That this session of the General Assembly, which began on the 5th day of January, must end on the 6th day of March, and that bills could be presented to the Governor as late as the 4th."

[Signed.]

PARIS A. DUNNING,
FRANCIS F. HORD,
THOS. R. COBB.

I refer the Senate to the report, also, of the majority of the select committee of the House of Representatives, at the session above named, to be found in the House Journal, 1855, page 875.

The report concludes as the Senate report referred to, and is signed by Samuel H. Buskirk and John R. Clifford. So far as I am advised, the Legislative precedents are in harmony with the view expressed in the reports above cited. If the question presented were a new one, I should say that it is not free from embarrassment; but the question has been settled long since by legislative construction and precedent, and upon that construction many of our most important statutes have been enacted.

I am not disposed, therefore, to review the question.

Very respectfully,

C. H. BUSKIRK,
Attorney General.

House Bill No. 109. A bill to provide for the renewal of line fences, etc.

Was read a third time.

The question being shall the bill pass?

Those who voted in the affirmative were,

Messrs. Baxter, Boone, Cardwell, Culbertson, Daggy, Hackleman, Harney, Haworth, Howard, Humphries, Johnson of Floyd, Johnston of Parke, LaRue, Major, Neff, Oliver, Rhodes, Ringo, Sarnighausen, Skinner, Underwood, Wilson and Winterbotham—23.

Those who voted in the negative were,

Messrs. Bearss, Bell, Bowman, Bunyan, Chapman, Cree, Davidson Dykeman, Givan, Gooding, Henderson, Hendricks, Hough, Maxwell, Peed, Roe, Scott, Slater, Sleeth, Smith, Stockslager and Tobin—22.

So the bill failed to pass for want of a constitutional majority.

House Bill No. 86. A bill to abolish the Twenty-seventh Judicial Circuit and Criminal Circuit Courts, etc.

Was read a third time.

The question being, shall the bill pass.

Mr. Peed moved the previous question.

Which was seconded by the Senate.

The question being, shall the main question be now put?

It was so ordered.

The ayes and noes being taken,

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Boone, Bowman, Chapman, Cree, Culbertson, Davidson, Friedley of Scott, Gooding, Hendricks, Hough, Howard, Humphries, Johnston of Parke, LaRue, Neff, Oliver, Roe, Slater, Sleeth, Stockslager, Underwood, Wilson and Winterbotham—25.

Those who voted in the negative were,

Messrs. Bearss, Bell, Bunyan, Cardwell, Grove, Hackleman, Harney, Haworth, Henderson, Johnson of Floyd, Major, Maxwell, Peed, Sarnighausen, Scott, Smith and Tobin—17.

So the bill failed to pass for want of a constitutional majority.

House Bill No. 77. A bill providing for publication of official matter in German newspapers, etc.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Beardsley, Bearss, Bell, Boone, Bowman, Bunyan, Cardwell, Chapman, Cree, Culbertson, Daggy, Davidson, Dykeman, Friedley of Lawrence, Givan, Gooding, Grove, Hackleman, Harney, Haworth, Henderson, Hendricks, Hough, Howard, Humphries, Johnson of Floyd, Major, Maxwell, Neff, Oliver, Peed, Rhodes, Sarnighausen, Scott, Skinner, Slater, Sleeth, Smith, Stockslager, Tobin, Underwood, Wilson and Winterbotham—44.

Messrs. Baxter and LaRue voting in the negative.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Ordered, that the Secretary inform the House of the passage of the bill.

On motion by Mr. Friedley of Lawrence, Engrossed House Bill No. 463, a bill authorizing the assessment of lands for plank and gravel road purposes, etc., was taken up and placed on the calendar.

Mr. Daggy made the following report on amendments to House Bill No. 6: That they were correctly engrossed, and the same on Senate Bill No. 274; also, on amendments to House Bills Nos. 261, 70, 165, 77, 195, 44, 67, and 69.

The President announced that he had signed Enrolled House Act No. 237; also, Enrolled House Act No. 275.

Mr. Daggy moved that when the Senate adjourn it be until 7 o'clock p. m.

Which was not agreed to.

On motion by Mr. Friedley of Lawrence, the Senate adjourned until to-morrow morning at 9 o'clock.

LEONIDAS SEXTON,

President of the Senate.

FRIDAY MORNING,

MARCH 5, 1875—9 O'CLOCK.

Senate assembled.

The Senate was called to order by Mr. Humphries, with Mr. Humphries in the chair.

Pending the reading of the Journal, on motion by Mr. Givan, the further reading was dispensed with.

On motion by Mr. Daggy, the examination of the Journal was referred to the Assistant Secretary.

Mr. Beardsley moved to take up House Bills on second reading.

Which was agreed to.

Engrossed House Bill No. 264. A bill providing for appeals from the decisions of boards of commissioners.

Was read a second time and placed on the calendar.

Engrossed House Bill No. 463. A bill authorizing the assessment of lands for plank roads, etc.

Was read a second time.

Mr. Hough moved to refer the bill to the Committee on Corporations, with instructions to amend the same as to save the rights of such companies as have already caused assessments to be made under provisions of the acts thereby repealed, and have caused expenses on the faith of such assessment.

Mr. LaRue moved to amend by requiring the committee to report immediately.

Mr. Bearss moved that the amendment do lie on the table.

Messrs. Hough and Johntson of Parke, demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Baxter, Bearss, Bell, Bunyan, Cardwell, Cree, Culbertson, Friedley of Lawrence, Givan, Grove, Henderson, Hendricks, Howard, Humphries, Johnson of Floyd, Major, Peed, Ringo, Skinner, Smith, Stockslager, Wilson and Winterbotham—23.

Those who voted in the negative were,

Messrs. Boone, Daggy, Gooding, Hackleman, Haworth, Hough, Johnson of Parke LaRue, Maxwell, Roe, Scott, Slater, Tobin, and Underwood—14.

So the motion was agreed to, the amendment laid on the table and the bill placed on the calendar.

On motion by Mr. Skinner Engrossed House Bill No. 111, a bill defining grave robbing, and prescribing punishment therefor and declaring an emergency, was taken up and read a second time and placed on the calendar.

Engrossed House Bill No. 367. 'A bill to legalize the official acts of the several boards of trustees of the town of Chestertown in Porter county, Indiana, and to legalize acts of incorporation, etc.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Baxter, Bearss, Bell, Boone, Bunyan, Cardwell, Cree, Culbertson, Daggy, Davidson, Dykeman, Friedley of Lawrence, Givan Gooding, Grove, Hackleman, Haworth, Henderson, Hendricks, Humphries, Johnson of Floyd, Johnston of Parke, LaRue, Major, Maxwell, Peed Ringo, Sarnighausen, Scott, Skinner, Stockslager, Tobin, Underwood, Wilson and Winterbotham—35.

No Senator voting in the negative.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Ordered, that the Secretary inform the House of the passage of the bill.

Mr. Daggy moved to suspend the constitutional rule, requiring bills to be read on three several days by sections, that Engrossed House Bills Nos. 118, 493, 239, 296, 362, 343, 329, 484, 310, 479, 491, 409, 323, 481, 485, 402, 431, 401, 305, 217, 321, 446, 411, 364, 40, 435, 324, 287, 418, 141, 285, 494, 348, 331 and 415, may be read a second time by title.

The ayes and noes being taken under the rule,

Those who voted in the affirmative were,

Messrs. Baxter, Bearss, Bell, Bunyan, Culbertson, Daggy, Davidson, Dykeman, Friedley of Lawrence, Givan, Hackleman, Haworth,
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Henderson, Hendricks, Howard, Humphries, Johnson of Floyd, Johnston of Parke, LaRue, Major, Maxwell, Neff, Oliver, Peed, Ringo, Sarnighausen, Scott, Skinner, Slater, Sleeth, Stockslager, Tobin, Underwood, Wilson and Winterbotham—36.

No Senator voting in the negative.

So the constitutional rule was suspended, and Engrossed House Bill No. 118, a bill to amend sections 33, 37 and 43, and supplemental section 6, of an act entitled, "An act to provide for a general system of common schools, the officers thereof, their respective powers and duties, and matters properly connected therewith, and prescribing the fees of certain officers, etc.

Was read a second time by title, and placed on the calendar.

Mr. Daggy moved that the constitutional rule, requiring bills to be read on three several days by sections be suspended, that Engrossed House Bill No. 493 may be read a second time by title.

The ayes and noes being taken under the rule,

Those who voted in the affirmative were,

Messrs. Baxter, Bearss, Bell, Bunyan, Culbertson, Daggy, Davidson, Dykeman, Friedley of Lawrence, Givan, Hackleman, Haworth, Henderson, Hendricks, Howard, Humphries, Johnson of Floyd, Johnston of Parke, LaRue, Major, Maxwell, Neff, Oliver, Peed, Ringo, Sarnighausen, Scott, Skinner, Slater, Sleeth, Stockslager, Tobin, Underwood, Wilson and Winterbotham—36.

No Senator voting in the negative.

So the constitutional rule was suspended, and Engrossed House Bill No. 493, a bill to secure the better treatment of the inmates of the county poor houses, etc., was read a second time, and placed on the calendar.

Mr. Daggy moved that the constitutional rule requiring bills to be read by sections on three several days be suspended, that engrossed House Bill No. 239, may be read a second time by title now.

The ayes and noes being taken under the rule,

Those who voted in the affirmative were,

Messrs. Baxter, Bearss, Bell, Bunyan, Culbertson, Daggy, Davidson, Dykeman, Friedley of Lawrence, Givan, Hackleman, Haworth, Henderson, Hendricks, Howard, Humphries, Johnston of Parke, Johnson of Floyd, LaRue, Major, Maxwell, Neff, Oliver, Peed, Ringo, Sarnighausen, Scott, Skinner, Slater, Sleeth, Stockslager, Tobin, Underwood, Wilson and Winterbotham—36.

No Senator voting in the negative.

So the constitutional rule was suspended, and Engrossed House Bill No. 289, a bill to prevent the forfeiture of policies of insurance companies, was read a second time and placed on the calendar.

Mr. Daggy moved that the constitutional rule requiring bills to be read on three several days by sections be suspended, that Engrossed House Bill No. 296 may be read a second time by title.

The ayes and noes being taken under the rule,

Those who voted in the affirmative were,

Messrs. Baxter, Bearss, Bell, Bunyan, Culbertson, Daggy, Davidson, Dykeman, Friedley of Lawrence, Givan, Hackleman, Haworth Henderson, Hendricks, Howard, Humphries, Johnson of Floyd, Johnston of Parke, LaRue, Major, Maxwell, Neff, Oliver Peed, Ringo, Sarnighausen, Scott, Skinner, Slater, Sleeth, Stockslager, Tobin, Underwood, Wilson and Winterbotham—36.

No Senator voting in the negative.

So the constitutional rule was suspended, and Engrossed House Bill No. 296, a bill to amend section two hundred and five of an act entitled, an act to provide for a uniform assessment of taxes, etc., was read a second time, and the bill placed on the calendar.

Mr Daggy moved that the constitutional rule, requiring bills to be read on three several days by sections be suspended, that Engrossed House Bill No. 362, may be read a second time by title.

The ayes and noes being taken under the rule;

Those who voted in the affirmative were,

Messrs. Baxter, Bearss, Bell, Bunyan, Culbertson, Daggy, Davidson Dykeman, Friedley of Lawrence, Givan, Hackleman, Haworth, Henderson, Hendricks, Howard, Humphries, Johnson of Floyd, Johnston of Parke, LaRue, Major, Maxwell, Neff, Oliver, Peed, Ringo, Sarnighausen, Scott Skinner, Slater, Sleeth, Stockslager, Tobin, Underwood, Wilson and Winterbotham—36.

No Senator voting in the negative.

So the constitutional rule was suspended, and Engrossed House Bill No. 362, a bill defining the duties of administrators and executors in making reports and settling estates, and declaring the duties of the courts in relation thereto and fixing the amount of fees to be allowed to administrators, executors and guardians, and providing for the recovery back of illegal allowances, and declaring an emergency, was read a second time by title and placed on the calendar.

Mr. Daggy moved that the constitutional rule requiring bills to be read on three several days by sections be suspended, that Engrossed House Bill No. 343 may be read a second time by title.

The ayes and noes being taken under the rule,

Those who voted in the affirmative were,

Messrs. Baxter, Bearss, Bell, Bunyan, Culbertson, Daggy, Davidson, Dykeman, Friedley of Lawrence, Givan, Hackleman, Haworth, Henderson, Hendricks, Howard, Humphries, Johnson of Floyd, Johnston of Parke, LaRue, Major, Maxwell, Neff, Oliver, Peed, Ringo, Sarnighausen, Scott, Skinner Slater, Sleeth Stockslager, Tobin, Underwood, Wilson and Winterbotham—36.

No Senator voting in the negative.

So the constitutional rule was suspended, and Engrossed House Bill No. 343, a bill to amend section 3 of an act entitled "an act to authorize cities and towns to negotiate and sell bonds to procure money with which to complete unfinished school buildings, etc., was read a second time by title and placed on the calendar.

Mr. Daggy moved that the constitutional rule requiring bills to be read by sections on three several days be suspended, that Engrossed House Bill No. 329 may be read a second time by title.

The ayes and noes being taken under the rule,

Those who voted in the affirmative were,

Messrs. Baxter, Bearss, Bell, Bunyan, Culbertson, Daggy, Davidson, Dykeman, Friedley of Lawrence, Givan, Hackleman, Haworth, Henderson, Hendricks, Howard, Humphries, Johnston of Parke, Johnson of Floyd, LaRue, Major, Maxwell, Neff, Oliver, Peed, Ringo, Sarnighausen, Scott, Skinner, Slater, Sleeth, Stockslager, Tobin, Underwood, Wilson and Winterbotham—36.

No Senator voting in the negative.

So the constitutional rule was suspended, and Engrossed House Bill No. 329, a bill to limit the powers of township trustees in incurring debts, etc., was read a second time by title and placed on the calendar.

Mr. Daggy moved that the constitutional rule requiring bills to be read on three several days by sections be suspended, that Engrossed House Bill No. 484 may be read a second time by title.

The ayes and noes being taken under the rule,

Those voting in the affirmative were,

Messrs. Baxter Bearss, Bell, Bunyan, Culbertson, Daggy, Davidson, Dykeman, Friedley of Lawrence, Givan, Hackleman, Haworth, Henderson, Hendricks, Howard, Humphries, Johnson of Floyd, Johnston of Parke, LaRue, Major, Maxwell, Neff, Oliver, Peed, Ringo, Sarnighausen, Scott, Skinner, Slater, Sleeth, Stockslager, Tobin, Underwood Wilson and Winterbotham—36.

No Senator voting in the negative.

So the constitutional rule was suspended and Engrossed House

Bill No. 484, a bill to legalize the subscription of forty-five thousand dollars by the city of Vincennes, Indiana, etc., was read a second time by title and placed on the calendar.

Mr. Daggy moved that the constitutional rule requiring bills to be read on three several days by sections be suspended that Engrossed House Bill No. 310 may be read a second time by title.

The ayes and noes being taken under the rule,

Those who voted in the affirmative were,

Messrs. Baxter, Bearss, Bell, Bunyan, Daggy, Davidson, Dykeman, Friedley of Lawrence, Givan, Hackleman, Haworth, Henderson, Hendricks, Howard, Humphries, Johnston of Parke, Johnson of Floyd, LaRue, Major, Maxwell, Neff, Oliver, Peed, Ringo, Sarnighausen, Scott, Skinner, Slater, Sleeth, Stockslager, Tobin, Underwood, Wilson and Winterbotham—36.

No Senator voting in the negative.

So the constitutional rule was suspended and Engrossed House Bill No. 310, a bill to legalize bonds and other obligations issued by cities in aid of the construction of court houses within their limits, was read a second time and placed on the calendar.

Mr. Daggy moved that the constitutional rule requiring bills to be read on three several days by sections be suspended that Engrossed House Bill No. 479 may be read a second time by title now.

The ayes and noes being taken under the rule,

Those who voted in the affirmative were,

Messrs. Baxter, Bearss, Bell, Bunyan, Culbertson, Daggy, Davidson, Dykeman, Friedley of Lawrence, Givan, Hackleman, Haworth, Henderson, Hendricks, Howard, Humphries, Johnston of Parke, Johnson of Floyd, LaRue, Major, Maxwell, Neff, Oliver, Peed, Ringo, Sarnighausen, Scott, Skinner, Slater, Sleeth, Stockslager, Tobin, Underwood, Wilson and Winterbotham—36.

No Senator voting in the negative.

So the constitutional rule was suspended, and Engrossed House Bill No. 479, a bill to legalize the acts of boards of trustees and other officers of incorporated towns, in cities where the inspectors of election have failed to make return, etc., was read a second time by title and placed on the calendar.

Mr. Daggy moved that the constitutional rule requiring bills to be read by sections on three several days be suspended, that Engrossed House Bill No. 491 may be read a second time by title, now.

The ayes and noes being taken under the rule,

Those who voted in the affirmative were,

Messrs. Baxter, Bearss, Boone, Bunyan, Cardwell, Cree, Culbertson, Daggy, Friedley of Lawrence, Givan, Grove, Hackleman, Haworth, Henderson, Hendricks, Humphries, Johnson of Floyd, Johnston of Parke, Major, Maxwell, Neff, Oliver, Peed, Rhodes, Ringr, Roe, Sarnighausen, Scott, Skinner, Slater, Smith, Stockslager, Tobin, Underwood, Wilson and Winterbotham—36.

No Senator voting in the negative.

So the constitutional rule was suspended, and Engrossed House Bill No. 491, a bill to legalize the official acts of the several boards of trustees of the town of North Vernon, was read a second time by title and placed on the calendar.

Mr. Daggy moved that the constitutional rule requiring bills to be read on three several days by sections be suspended, that Engrossed House Bill No. 409 may be read a second time by title, now.

The ayes and noes being taken under the rule,

Those who voted in the affirmative were,

Messrs. Baxter, Bearss, Bell, Bunyan, Culbertson, Daggy, Davidson, Dykeman, Friedley of Lawrence, Givan, Hackleman, Haworth, Henderson, Hendricks, Howard, Humphries, Johnson of Floyd, Johnston of Parke, LaRue, Maxwell, Neff, Oliver, Peed,

Sarnighausen, Scott, Skinner, Slater, Sleeth, Stockslager, Ringo, Tobin, Underwood, Wilson, and Winterbotham—35.

No Senator voting in the negative.

So the constitutional rule was suspended, and Engrossed House Bill No. 409, an act to amend the 17th section of an act, approved May 12, 1869, entitled, "An act to provide for the organization of saving banks, etc., was read a second time by title, and placed on the calendar.

Mr. Daggy moved that the constitutional rule requiring bills to be read on three several days by sections be suspended that Engrossed House Bill No. 323 may be read a second time by title, now.

The ayes and noes being taken under the rule,

Those who voted in the affirmative were,

Messrs. Baxter, Bearss, Bell, Bunyan, Culbertson, Davidson, Daggy, Dykeman, Friedley of Lawrence, Givan, Hackleman, Haworth, Henderson, Hendricks, Humphries, Johnson of Floyd, Johnston of Parke, LaRue, Major, Maxwell, Neff, Oliver, Ringo, Sarnighausen, Scott, Skinner, Slater, Sleeth, Stockslager, Tobin, Underwood, Wilson and Winterbotham—35

No Senator voting in the negative.

So the constitutional rule was suspended, Engrossed House Bill No. 323, a bill prescribing the duties of county commissioners in relation to the examination of the books and accounts of county officers, was read a second time by title and placed on the calendar.

Mr. Daggy moved that the constitutional rule requiring bills to be read on three several days by sections be suspended that Engrossed House Bill No. 481 may be read a second time by title now.

The ayes and noes being taken under the rule,

Those who voted in the affirmative were,

Messrs. Baxter, Bearss, Bell, Bunyan, Culbertson, Daggy, Davidson, Dykeman, Friedley of Lawrence, Givan, Hackleman, Haworth, Henderson, Hendricks, Howard, Humphries, Johnson of Floyd, Johnston of Parke, LaRue, Major, Maxwell, Neff, Oliver, Ringo, Sarnighausen, Scott, Skinner, Slater, Sleeth, Stockslager, Tobin, Underwood, Wilson and Winterbotham—35.

No Senator voting in the negative.

So the constitutional rule was suspended and Engrossed House Bill No. 481, a bill in relation to county auditors' report of school revenues, etc., was read a second time and placed on the calendar.

Mr. Daggy moved, that the constitutional rule requiring bills to be read on three several days by sections be suspended, that Engrossed House Bill No. 402 may be read a second time by title now.

The ayes and noes being taken under the rule,

Those who voted in the affirmative were,

Messrs. Baxter, Bearss, Bell, Bunyan, Culbertson, Daggy, Davidson, Dykeman, Friedley of Lawrence, Givan, Hackleman, Haworth, Henderson, Hendricks, Howard, Humphries, Johnson of Floyd, Johnston of Parke, LaRue, Major, Maxwell, Neff, Oliver, Ringo, Sarnighausen, Scott, Skinner, Slater, Sleeth, Stockslager, Tobin, Underwood, Wilson and Winterbotham—35.

No Senator voting in the negative.

So the constitutional rule was suspended, and Engrossed House Bill No. 402, a bill to enable married women whose husbands are insane or of unsound mind, to convey real estate, etc., was read a second time by title and placed on the calendar.

Mr Daggy moved that the constitutional rule requiring bills to

be read on three several days by sections be suspended, that Engrossed House Bill No. 431 may be read a second time by title now.

The ayes and noes being taken under the rule,

Those who voted in the affirmative were,

Messrs. Baxter, Bearss, Bell, Bunyan, Culbertson, Daggy, Davidson, Dykeman, Friedley of Lawrence, Givan, Hackleman, Haworth, Henderson, Hendricks, Howard, Humphries, Johnson of Floyd, Johnston of Parke, LaRue, Major, Maxwell, Neff, Oliver, Ringo, Sarnighausen, Scott, Skinner, Slater, Sleeth, Stockslager, Tobin, Underwood, Wilson, and Winterbotham—35.

No Senator voting in the negative.

So the constitutional rule was suspended, and Engrossed House Bill No. 431, a bill to legalize the assessment and collection of taxes in the town of Danville, Hendricks county, Indiana, for the year 1874, was read a second time by title, and placed on the calendar.

Mr. Daggy moved that the constitutional rule requiring bills to be read on three several days by sections be suspended, that Engrossed House bill No. 401 may be read a second time by title now.

The ayes and noes being taken under the rule,

Those who voted in the affirmative were,

Messrs. Bearss, Bell, Clubertson, Daggy, Davidson, Dykeman, Friedley of Lawrence, Givan, Hackleman, Haworth, Henderson, Hendricks, Howard, Humphries, Johnson of Floyd, Johnston of Parke, LaRue Major, Maxwell, Neff, Oliver, Peed, Ringo, Sarnighausen, Scott, Skinner, Slater, Sleeth, Stockslager, Tobin, Underwood, Wilson and Winterbotham—35.

No Senator voting in the negative.

So the constitutional rule was suspended, and Engrossed House Bill No. 401, a bill to prevent judicial or municipal corporations

from creating indebtedness for any purpose, in any assessment, etc., was read a second time by title, and placed on the calendar.

Engrossed House Bill No. 415, a bill amendatory to 2d and 3d sections of legislative apportionment act of 1873.

Was read a second time and placed on the calendar.

Mr. Daggy moved that the constitutional rule requiring bills to be read on three several days by sections be suspended, that Engrossed House Bill No. 305 may be read a second time by title now.

The ayes and noes being taken under the rule,

Those who voted in the affirmative were,

Messrs. Baxter, Bearss, Bell, Bunyan, Culbertson, Daggy, Davidson, Dykeman, Friedley of Lawrence, Givan, Hackleman, Haworth, Henderson, Hendricks, Howard, Humphries, Johnson of Floyd, Johnston of Parke, LaRue, Major, Maxwell, Neff, Oliver, Peed, Ringo, Sarnighausen, Scott, Skinner, Slater, Sleeth, Stockslager, Tobin, Underwood, Wilson and Winterbotham—35.

No Senator voting in the negative.

So the constitutional rule was suspended, and Engrossed House Bill No. 305, a bill supplementary and amendatory to section thirty six of an act entitled "an act to provide for a uniform assessment of property, etc., was read a second time and placed on the calendar.

Mr. Daggy moved that the constitutional rule requiring bills to be read on three several days by sections be suspended, that Engrossed House Bill No. 217 may be read a second time by title now.

The ayes and noes being taken under the rule,

Those who voted in the affirmative were,

Messrs. Baxter, Bearss, Bell, Bunyan, Culbertson, Daggy, Davidson, Dykeman, Friedley of Lawrence, Givan, Hackleman, Haworth, Henderson, Hendricks, Howard, Humphries, Johnston of Parke,

Johnson of Floyd, LaRue, Major, Maxwell, Neff, Oliver, Peed, Ringo, Sarnighausen, Scott, Skinner, Slater, Sleeth, Stockslager, Tobin, Underwood, Wilson and Winterbotham—35.

No Senator voting in the negative.

So the constitutional rule was suspended, and Engrossed House Bill No. 217, a bill concerning the organization of plank, macadamized and gravel road companies, etc., was read a second time by title, and placed on the calendar.

Mr. Daggy moved that the constitutional rule requiring bills to be read on three several days by sections be suspended, that Engrossed House Bill No. 321 may be read a second time by title now.

The ayes and noes being taken under the rule,

Those who voted in the affirmative were,

Messrs. Baxter, Bearss, Bell, Bunyan, Culbertson, Daggy, Davidson, Dykeman, Friedley of Lawrence, Givan, Hackleman, Haworth, Henderson, Hendricks, Howard, Humphries, Johnson of Floyd, Johnston of Parke, LaRue, Major, Maxwell, Neff, Oliver, Peed, Ringo, Sarnighausen, Scott, Skinner, Slater, Sleeth, Stockslager, Tobin, Underwood, Wilson and Winterbotham—35.

No Senator voting in the negative.

So the constitutional rule was suspended, and Engrossed House Bill No. 321, a bill defining the duties of county and state boards of equalization, etc., was read a second time by title and placed on the calendar.

Mr. Daggy moved that the constitutional rule requiring bills to be read on three several days by sections be suspended, that Engrossed House Bill No. 446 may be read a second time by title now.

The ayes and noes being taken under the rule,

Those who voted in the affirmative were,

Messrs. Baxter, Bearss, Boone, Bunyan, Cardwell, Cree, Culbertson, Daggy, Friedley of Lawrence, Givan, Gooding, Grove, Hackleman, Haworth, Henderson, Hendricks, Humphries, Johnson of Floyd, Johnston of Parke, Major, Maxwell, Neff, Oliver, Peed, Rhodes, Ringo, Roe, Sarnighausen, Scott, Skinner, Slater, Smith, Stockslager, Tobin, Underwood, Wilson and Winterbotham—37.

Senators Howard and Sleeth voting in the negative.

So the constitutional rule was suspended, and Engrossed House Bill No. 446, a bill to provide, that all unclaimed county orders shall be paid into the township library fund, was read a second time by title and placed on the calendar.

Engrossed House Bill No. 411, a bill to provide for the judgments in the circuit court and court of common pleas, was read a second time and placed on the calendar.

Engrossed House Bill No. 364. A bill supplemental to an act entitled "An act to amend section 53 of an act entitled 'an act to repeal all general laws now in force for the incorporation of cities, and prescribing their powers, rights, etc.

Was read a second time and placed on the calendar.

Mr. Daggy moved that the constitutional rule requiring bills to be read on three several days by sections be suspended, that Engrossed House Bill No. 40 may be read a second time by title.

The ayes and noes being taken under the rule,

Those voting in the affirmative were,

Messrs. Baxter, Beardsley, Bearss, Bell Bunyan, Culbertson, Daggy, Davidson, Dykeman, Friedley of Lawrence, Givan, Hackleman, Haworth, Henderson, Hendricks, Howard, Humphries, Johnson of Floyd, Johnston of Parke, LaRue, Major, Maxwell,

Neff, Oliver, Ringo, Sarnighausen, Scott, Skinner, Slater, Sleeth, Stockslager, Tobin, Underwood, Wilson and Winterbotham—36.

No Senator voting in the negative.

So the constitutional rule was suspended, and Engrossed House Bill No. 40, a bill to regulate criminal prosecutions before justices of the peace, etc., was read a second time by title and placed on the calendar.

Mr. Daggy moved that the constitutional rule requiring bills to be read on three several days be suspended, that Engrossed House Bill No. 435 may be read a second time by title now.

The ayes and noes being taken under the rule.

Those who voted in the affirmative were,

Messrs. Baxter, Bearss, Bell, Bunyan, Culbertson, Daggy, Davidson, Dykeman, Friedley of Lawrence, Givan, Hackleman, Haworth, Henderson, Hendricks, Howard, Humphries, Johnson of Floyd, Johnston of Parke, LaRue, Major, Maxwell, Neff, Oliver, Peed, Ringo, Sarnighausen, Scott, Skinner, Slater, Sleeth, Stockslager, Tobin, Underwood, Wilson and Winterbotham—35.

No Senator voting in the negative.

So the constitutional rule was suspended, and Engrossed House Bill No. 435, a bill providing for the removal of county, township, city and town officers for corruption, incapacity, and failure to perform their official duties, was read a second time by title and placed on the calendar.

Mr. Daggy moved that the constitutional rule requiring bills to be read by sections on three several days be suspended, that Engrossed House Bill No. 324 may be read a second time by title now.

The ayes and noes being taken under the rule,

Those who voted in the affirmative were,

Messrs. Baxter, Bearss, Bell, Bunyan, Culbertson, Daggy, Dykeman, Friedley of Lawrence, Givan, Hackleman, Haworth, Hen-

derson, Howard, Hendricks, Humphries, Johnston of Parke, Johnson of Floyd, LaRue, Major, Maxwell, Neff, Oliver, Peed, Ringo, Sarnighausen, Scott, Skinner, Slaier, Sleeth, Stockslager, Tobin, Underwood, Wilson and Winterbotham—35.

No Senator voting in the negative.

So the constitutional rule was suspended, and Engrossed House Bill No. 324, a bill to provide for the sale of macadamized roads, gravel roads, etc., was read a second time by title and placed on the calendar.

Mr. Daggy moved that the constitutional rule requiring bills to be read on three several days by sections be suspended, that Engrossed House Bill No. 287 may be read a second time by title now.

The ayes and noes being taken under the rule,

Those voting in the affirmative were,

Messrs. Baxter, Boone, Bunyan, Cardwell, Cree, Culbertson, Daggy, Friedley of Lawrence, Givan, Gooding, Grove, Hackleman, Haworth, Henderson, Hendricks, Humphries, Johnson of Floyd, Johnston of Parke, Major, Maxwell, Neff, Peed, Rhodes, Ringo, Roe, Sarnighausen, Scott, Skinner, Slater, Smith, Stockslager, Tobin, Underwood Wilson and Winterbotham—37.

Senators Howard, and Sleeth voting in the negative.

So the constitutional rule was suspended, and Engrossed House Bill No. 287, a bill to amend section eighty nine of an act entitled, "An act to repeal all general laws now in force for the incorporation of cities, etc., was read a second time and placed on the calendar.

Mr. Daggy moved that the constitutional rule requiring bills to read by sections on three several days, be suspended, that Engrossed House Bill No. 418, may be read a second time by title, now.

The ayes and noes being taken under the rule.

Those who voted in the affirmative were,

Messrs. Baxter, Bearss, Bell, Bunyan, Culbertson, Daggy, Davidson, Dykeman, Friedley of Lawrence, Givan, Hackleman, Haworth, Henderson, Hendricks, Howard, Humphries, Johnson of Floyd, Johnston of Parke, LaRue, Major, Maxwell, Neff, Oliver, Peed, Ringo, Sarnighausen, Scott, Skinner, Slater, Sleeth, Stockslager, Tobin, Underwood, Wilson and Winterbotham—35.

No Senator voting in the negative.

So the constitutional rule was suspended, and Engrossed House Bill No. 418, a bill to amend section 5 of an act entitled, "an act to provide for the election of a Reporter of the Supreme court, etc., was read a second time by title and placed on the calendar.

Mr. Daggy moved that the constitutional rule requiring bills to be read by sections on three several days be suspended that Engrossed House Bill No. 141 may be read a second time by title now.

The ayes and noes being taken under the rule,

Those voting in the affirmative were,

Messrs. Baxter, Bearss, Bell, Bunyan, Culbertson, Daggy, Davidson, Dykeman, Friedley of Lawrence, Givan, Hackleman, Haworth, Henderson, Hendricks, Howard, Humphries, Johnson of Floyd, Johnston of Parke, LaRue, Major, Maxwell, Neff, Oliver, Peed, Ringo, Sarnighausen, Scott, Skinner, Slater, Sleeth, Stockslager, Tobin, Underwood, Wilson and Winterbotham—35.

No Senator voting in the negative.

So the constitutional rule was suspended and Engrossed House Bill No. 141, a bill defining the law of libel, and declaring penalties therefor, was read a second time and placed on the calendar.

Mr. Daggy moved that the constitutional rule requiring bills to be read by sections on three several days be suspended, that House Bill No. 285 may be read a second time by title now.

The ayes and noes being taken under the rule,

Those who voted in the affirmative were

Messrs. Baxter, Bearss, Boone, Bunyan, Cardwell, Cree, Culbertson, Daggy, Friedley of Lawrence, Givan, Gooding, Grove, Hackleman, Haworth, Henderson, Hendricks, Humphries, Johnson of Floyd, Johnston of Parke, Major, Maxwell, Neff, Oliver, Peed, Rhodes, Ringo, Roe, Sarnighausen, Scott, Skinner, Slater, Smith, Stockslager, Tobin, Underwood, Wilson and Winterbotham—37.

Senators Howard and Sleeth voting in the negative.

So the constitutional rule was suspended, and Engrossed House Bill No. 285, a bill to amend section 354 of an act entitled "An act to revise, simplify and abridge the rules, practice, pleading," etc., was read a second time by title and placed on the calendar.

Mr. Daggy moved that the constitutional rule requiring bills to be read a second time by sections be suspended, that Engrossed House Bill No. 494 may be read a second time by title, now.

The ayes and noes being taken under the rule,

Those voting in the affirmative were,

Messrs. Baxter, Bearss, Bell, Bunyan, Culbertson, Daggy, Davidson, Dykeman, Friedley of Lawrence, Givan, Hackelman, Haworth, Henderson, Hendricks, Howard, Humphries, Johnson of Floyd, Johnston of Parke, LaRue, Major, Maxwell, Neff, Oliver, Peed, Ringo, Sarnighausen, Scott, Skinner, Slater, Sleeth, Stockslager, Tobin, Underwood, Wilson and Winterbotham—35.

No Senator voting in the negative.

So the constitutional rule was suspended and Engrossed House Bill No. 494, a bill to regulate the incorporation of the town of Huntington as a city, and the official acts, etc., was read a second time by title and placed on the calendar.

Mr. Daggy moved that the constitutional rule, requiring bills to be read by sections on three several days be suspended, that Engrossed House Bill No. 348 may be read a second time by title, now.

The ayes and noes being taken under the rule.

Those who voted in the affirmative were,

Messrs. Baxter, Bearss, Bell, Bunyan, Cardwell, Cree, Culbertson, Daggy, Friedley of Lawrence, Givan, Gooding, Grove, Hackleman, Haworth, Henderson, Hendricks, Humphries, Johnson of Floyd, Johnston of Parke, Major, Maxwell, Neff, Oliver, Peed, Rhodes, Ringo, Roe, Sarnighausen, Scott, Skinner, Slater, Smith, Stockslager, Tobin, Underwood, Wilson and Winterbotham—37.

Senators Howard and Sleeth voting in the negative.

So the constitutional rule was suspended, and Engrossed House Bill No. 348, a bill to amend an act to provide for the reimbursement to certain counties therein named of certain taxes illegally assessed, was read a second time by title and placed on the calendar.

Mr. Daggy moved that the constitutional rule requiring bills to be read by sections on three several days be suspended, that Engrossed House Bill No. 331 may be read a second time by title now.

The ayes and noes being taken under the rule,

Those who voted in the affirmative were,

Messrs. Baxter, Bearss, Bell, Bunyan, Culbertson, Daggy, Davidson, Dykeman, Friedley of Lawrence, Givan, Hackleman, Haworth, Henderson, Hendricks, Howard, Humphries, Johnson of Floyd, Johnston of Parke, LaRue, Major, Maxwell, Neff, Oliver, Peed, Ringo, Sarnighausen, Scott, Skinner, Slater, Sleeth, Stockslager, Tobin, Underwood, Wilson and Winterbotham—35.

No Senator voting in the negative.

So the constitutional rule was suspended, and Engrossed House Bill No. 331, a bill to provide that judges may, in vacation, dissolve injunctions or restraining orders heretofore granted, was read a second time by title and placed on the calendar.

Mr. Daggy moved that the constitutional rule requiring bills to be read on three several days by sections be suspended, that

Engrossed House Bill No. 456, may be read a second time by title now.

The ayes and noes being taken under the rule,

Those who voted in the affirmative were,

Messrs. Baxter, Bearss, Bell, Bunyan, Culbertson, Daggy, Davidson, Dykeman, Friedley of Lawrence, Givan, Hackleman, Haworth, Henderson, Hendricks, Howard, Humphries, Johnson of Floyd, Johnston of Parke, LaRue, Major, Maxwell, Neff, Oliver, Peed, Ringo, Sarnighausen, Scott, Skinner, Slater, Sleeth, Stockslager, Tobin, Underwood, Wilson and Winterbotham—35.

No Senator voting in the negative.

So the constitutional rule was suspended, and Engrossed House Bill No. 456, a bill for the protection of minors, was read a second time and placed on the calendar.

Mr. Maxwell moved to take up Engrossed House Bill No. 6, a bill to legalize the incorporation of the town of Martinsville, and declaring an emergency.

Which was agreed to, and the bill read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were

Messrs. Baxter, Bearss, Bell, Bowman, Bunyan, Cardwell, Cree, Culbertson, Daggy, Davidson, Friedley of Lawrence, Givan, Gooding, Hackleman, Haworth, Hendricks, Henderson, Howard, Humphries, Johnson of Floyd, LaRue, Major, Maxwell, Neff, Oliver, Peed, Ringo, Sarnighausen, Scott, Skinner, Sleeth, Stockslager, Underwood, Wilson and Winterbotham—37.

Senators Slater and Smith, voting in the negative.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Ordered, that the Secretary inform the House of the passage of the bill.

The President announced that he had signed Enrolled House Act No. 129.

Engrossed House Bill No. 293, a bill to legalize the acts of county commissioners in leasing, purchasing and conveying real estate, etc., was read a third time.

The question being shall the bill pass?

Those who voted in the affirmative were,

Messrs. Baxter, Bearss, Boone, Bunyan, Cardwell, Cree, Culbertson, Daggy, Friedley of Lawrence, Givan, Gooding, Grove, Hackleman, Haworth, Henderson, Hendricks, Humphries, Johnson of Floyd, Johnston of Parke, Major, Maxwell, Neff, Oliver, Peed, Rhodes, Ringo, Roe, Sarnighausen, Scott, Skinner, Slater, Stockslager, Tobin, Underwood, Wilson and Winterbotham—37.

Messrs. Howard and Sleeth voting in the negative.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Ordered, that the Secretary inform the House of the passage of the bill.

Engrossed House Bill No. 66. A bill declaring illegal and void agreements to pay attorney fees contained in any bill of exchange, etc.

Was read a third time.

Mr. Boone moved to recommit to Committee on Rights and Privileges of the Inhabitants of the State, with instructions to amend section 1, line 8, after "indebtedness" add the words "the fees shall be specified in the note or obligation, not to exceed ten per cent, on the first \$100, and not to exceed five per cent. on the residue."

Mr. Boone moved the previous question.

Which was seconded by the Senate.

The question being, shall the main question now be put.

It was so ordered.

The question being on the amendment offered by Mr. Boone.

Messrs. Sleeth and Bell demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bell, Boone, Chapman, Culbertson, Daggy, Davidson, Henderson, Hendricks, Hough, LaRue, Rhodes, Roe, Sarnighausen, Skinner, Sleeth and Stockslager—18.

Those who voted in the negative were,

Messrs. Bearss, Bowman, Bunyan, Cardwell, Cree, Dykeman, Friedley of Lawrence, Givan, Grove, Hackleman, Harney, Haworth, Howard, Humphries, Johnson of Floyd, Johnston of Parke, Major,

Maxwell, Neff, Ringo, Scott, Slater, Tobin, Underwood, Wilson and Winterbotham—25.

So the amendment was not agreed to.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Bearss, Bunyan, Dykeman, Friedley of Lawrence, Givan, Grove, Hackleman, Harney, Haworth, Hendricks, Hough, Howard, Humphries, Johnson of Floyd, Johnston of Parke, Major, Maxwell, Neff, Rhodes, Ringo, Roe, Scott, Slater, Stockslager, Tobin, Underwood and Winterbotham—32.

Those who voted in the negative were,

Messrs. Baxter, Beardsley, Bell, Boone, Bowman, Chapman, Daggy, Henderson, LaRue, Oliver, Sarnighausen, Skinner, Sleeth and Smith—14.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Ordered, that the Secretary inform the House of the passage of the bill.

Engrossed House Bill No. 284. A bill to provide for the incorporation of any public or private cemetery already laid out and recorded, when any of the lots thereon are occupied for the burial of the dead, and to provide for its maintenance and additions thereto, the collection of assessments thereon, and the election of officers for its government.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bearss, Bell, Boone, Bowman, Bunnan, Cardwell, Chapman, Culbertson, Daggy, Davidson, Dykeman, Friedley of Lawrence, Friedley of Scott, Givan, Gooding, Grove, Hackleman, Harney, Haworth, Henderson, Hendricks, Howard, Johnson of Floyd, Johnston of Parke, LaRue, Neff, Oliver, Peed, Ringo, Roe, Sarnighausen, Scott, Slater, Stockslager, Tobin, Underwood, Wilson and Winterbotham—41.

No Senator voting in the negative.

So the bill passed.

Joint Resolution No. 12. A joint resolution to amend article 2, section 14, of the Constitution.

Was read a first time and referred to the Committee on Judiciary with instructions to report to-day.

The hour of 11 o'clock having arrived, being the time for the special order, to-wit: the consideration of the engrossed House amendments to Senate Bill No. 15, a bill to regulate the sale of intoxicating drinks, etc.

Mr. Boone offered the following amendments to the amendments of the House:

Amend section 4 by inserting therein after the word "intoxicate," line 24, the following: "And provided further that each license shall not be granted if a remonstrance against the granting thereof be filed with the board of county commissioners or auditor, in or before the meeting of such board named in the notice of the applicants, signed by a majority of the legal voters who vote, if in a township, those who voted at the last Congressional election, if in an incorporated town, or ward of a city, those who voted at the last municipal election where said liquors are to be sold, but nothing shall be so construed as to prevent the applicant from showing by competent evidence that the remonstrators, or any of them have died,

or removed from the township, town, or city since their signatures were obtained, or that they did not sign said remonstrance or authorize any other person to sign the same for them."

Sec. 10½. Any person of sound mind found in any public place in a state of intoxication shall be deemed guilty of a misdemeanor, and upon conviction be fined in any sum not less than one dollar nor more than five dollars for each offense.

Amend by adding Section 14½. In addition to the remedy and right of action heretofore provided for, every husband, wife, child, parent, guardian, or other person who shall be injured in person or property by any intoxicated person, or in consequence of intoxication or otherwise of any person shall have a right of action for damages in his, her, or their names, jointly, or separately severally against any person or persons who shall by selling, bartering, or giving away intoxicating liquors have caused the intoxication in whole or in part of such person; *Provided*, That there should be but one recovering by the same person or party for the same intoxication. A married woman shall have the same right to bring suit and control the same and the amount recovered as an unmarried woman. All damages under this act may be by any appropriate action in any of the courts of this State having competent jurisdiction, all judgments recovered under the provisions of this act may be enforced without any relief whatever from valuation or appraisement laws.

Strike out section 19, and insert in lieu thereof, "All laws and parts of laws conflicting with this act be and the same are hereby repealed, saving and excepting all suits now pending for damage or right of action vested under, and all prosecutions by the State, for violation of the act to regulate the sale of intoxicating liquors, to provide against the evils resulting from the sale thereof, to furnish remedies for damages suffered by any person in consequence of such sale, etc., approved February 27, 1873, which said suits and rights of action and State prosecutions may be prosecuted to final judgement, in as full and complete a manner under said act, as if this law had not been enacted.

Mr. Johnston of Parke offered the following amendment:

Amend section 6, by striking out the words "fifty dollars" and inserting in lieu thereof the words "one hundred dollars."

Mr. Humphries moved, that the amendments to the bill be considered by sections.

Which was agreed to.

The first section being read, Mr. Bell moved that the amendment do lie on the table.

Messrs. Baxter and Bell demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Bell, Bowman, Culbertson, Dykeman, Givan, Gooding, Grove, Henderson, Hendricks, Humphries, Johnson of Floyd, Maxwell, Peed, Sarnighausen, Skinner, Slater, Smith, Stockslager and Winterbotham—19.

Those who voted in the negative were,

Messrs. Baxter, Beardsley, Bearss, Boone, Bunyan, Cardwell, Chapman, Cree, Daggy, Davidson, Friedley of Lawrence, Friedley of Scott, Hackleman, Harney, Haworth, Hough, Howard, Johnston of Parke, LaRue, Major, Neff, Oliver, Rhodes, Roe, Scott, Tobin, Underwood and Wilson—29.

So the motion was not agreed to.

The question being on the adoption of the amendment,

It was agreed to.

The second section being read, Mr. Stockslager offered the following amendment :

“Any person found in any public place in a state of intoxication.”

Which was agreed to.

The section as amended was then agreed to.

Third section of the amendment read.

Mr. Harney moved that the amendment do lie on the table.

Messrs. Friedley of Lawrence and LaRue demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Bell, Culbertson, Dykeman, Givan, Harney, Haworth, Henderson, Hendricks, Humphries, Johnson of Floyd, Maxwell, Peed, Sarnighausen, Skinner, Slater, Smith, Stockslager, Wilson Winterbotham—19.

Those who voted in the negative were,

Messrs. Baxter, Beardsley, Bearss, Boone, Bowman, Bunyan, Cardwell, Chapman, Daggy, Davidson, Friedley of Lawrence, Friedley of Scott, Hackleman, Haworth, Hough, Howard, Johnston of Parke, LaRue, Major, Neff, Oliver, Rhodes, Ringo, Roe, Scott, Sleeth, Tobin and Underwood—28.

So the motion was not agreed to.

Mr. Stockslager offered the following amendment:

Insert in the proper place "any person who shall by any unlawful sale of intoxicating liquors, etc."

Mr. Friedley of Lawrence moved that the amendment do lie on the table.

Messrs. Stockslager and Culbertson demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bearss, Boone, Bunyan, Cardwell, Chapman, Cree, Daggy, Friedley of Lawrence, Friedley of Scott, Hackleman, Haworth, Hough, Howard, Johnston of Parke, LaRue, Major, Neff, Oliver, Rhodes, Ringo, Roe, Scott, Tobin and Underwood—26.

Those who voted in the negative were,

Messrs. Bell, Bowman, Culbertson, Davidson, Dykeman, Harney, Henderson, Hendricks, Humphries, Johnson of Floyd, Maxwell, Peed, Sarnighausen, Skinner, Slater, Smith, Stockslager, Wilson, and Winterbotham—19.

So the amendment was laid on the table.

The section was then agreed to.

The question now recurring on the amendment offered by Mr. Johnston of Parke.

It was agreed to.

Mr. Daggy moved to strike out where it occurs the words "one hundred dollars," and insert therefor the words "five hundred dollars," in section 6.

Mr. Dykeman moved that the motion do lie on the table.

Messrs. Bell and Daggy demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Bell, Boone, Bowman, Culbertson, Davidson, Dykeman, Givan, Harney, Henderson, Hendricks, Howard, Humphries, Johnson of Floyd, Major, Maxwell, Peed, Sarnighausen, Skinner, Slater, Sleeth, Smith, Stockslager, Wilson and Winterbotham—24.

Those who voted in the negative were,

Messrs. Baxter, Beardsley, Bearss, Bunyan, Cardwell, Chapman, Cree, Daggy, Friedley of Lawrence, Friedley of Scott; Gooding, Hackleman, Haworth, Hough, Johnston of Parke, LaRue, Neff, Oliver, Rhodes, Ringo, Roe, Scott, Tobin, Underwood and Mr. President—25.

So the motion was not agreed to.

The question recurring on the motion of Mr. Daggy to insert \$500 in lieu of \$100.

Messrs. Dykeman and Bell demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bearss, Bunyan, Cardwell, Chapman, Cree, Daggy, Friedley of Lawrence, Friedley of Scott, Hackleman, Haworth, Hough, Johnston of Parke, LaRue, Neff, Oliver, Rhodes, Ringo, Roe, Scott, Tobin and Underwood—23.

Those who voted in the negative were,

Messrs. Bell, Boone, Bowman, Culbertson, Davidson, Dykeman, Givan, Harney, Henderson, Hendricks, Howard, Humphries, Johnson of Floyd, Major, Maxwell, Peed, Sarnighausen, Skinner, Slater, Sleeth, Smith, Stockslager, Wilson and Winterbotham—24.

So the motion was not agreed to.

Mr. Givan offered the following amendment:

Amend section 5 by striking out the word "fifty" where it occurs, and inserting "twenty-five."

Pending which, on motion by Mr. Chapman the Senate took a recess until 2 o'clock this afternoon.

AFTERNOON SESSION.

Senate re-assembled, President in the chair.

The pending question on adjournment being on the amendment of Mr. Givan.

Mr. Neff moved that the amendment do lie on the table.

Which was agreed to.

Mr. Givan demanded a call of the Senate.

Those answering to their names were,

Messrs. Baxter, Beardsley, Bearss, Bell, Boone, Bowman, Bunyan, Cardwell, Chapman, Cree, Culbertson, Daggy, Davidson, Friedley of Lawrence, Friedley of Scott, Givan, Gooding, Grove, Hackleman, Haworth, Hendricks, Hough, Howard, Humphries, Johnson of Floyd, Johnston of Parke, LaRue, Major, Maxwell, Neff, Oliver, Peed, Roe, Sarnighausen, Scott, Smith, Stockalager, Tobin, Underwood and Wilson—40.

Mr. Humphries moved that further proceedings under the call be dispensed with.

Which was agreed to.

The question being to concur in the amendment of the House, together with the amendment of the Senate.

The ayes and noes were demanded by Messrs. Slater and Bell.

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bearss, Boone, Bunyan, Cardwell, Chapman, Cree, Daggy, Davidson, Friedley of Lawrence, Friedley of Scott, Hackleman, Haworth, Hough, Howard, Humphries, Johnston of Parke, LaRue, Major, Neff, Oliver, Rhodes, Ringo, Roe, Scott, Sleeth, Tobin, Underwood and Wilson—30.

Those who voted in the negative were,

Messrs. Bell, Bowman, Culbertson, Dykeman, Givan, Gooding, Grove, Henderson, Hendricks, Johnson of Floyd, Maxwell, Peed, Sarnighausen, Skinner, Slater, Smith, Stockalager and Winterbotham—18.

So the amendment was concurred in.

Mr. Haworth moved to take up House Bill No. 410.

Mr. Johnston of Parke moved to include House Bill No. 261.

Mr. Bell moved to lay the motion on the table.

Which was agreed to.

Mr. Scott moved to take up House Bills on third reading.

Which was agreed to.

Engrossed House Bill No. 410. A bill legalizing the acts of the board of trustees of incorporated towns in certain cases.

Was read a third time.

The question being, shall the bill pass.

Those voting in the affirmative were,

Messrs. Baxter, Beardsley, Bearss, Boone, Bowman, Bunyan, Cardwell, Chapman, Daggy, Davidson, Dykeman, Friedley of Lawrence, Friedley of Scott, Hackleman, Harney, Haworth, Hendricks, Hough, Howard, Humphries, Johnson of Floyd, Johnston of Parke, Major, Maxwell, Neff, Oliver, Rhodes, Ringo, Roe, Scott, Skinner, Slater, Sleeth, Stockslager, Tobin, Underwood and Wilson—37.

Those who voted in the negative were,

Messrs. Bell, Culbertson, Givan, Gooding, Grove, Henderson, LaRue and Sarnighausen—8.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Ordered, that the Secretary inform the House of the passage of the bill.

Engrossed House Bill No. 89. A bill to authorize the organization of boards of trade and other commercial organizations,

defining their powers, prescribing their duties, providing a penalty of forfeiture, etc.

Was read a third time.

The question being, shall the bill pass.

Those voting in the affirmative were,

Messrs. Baxter, Beardsley, Bearss, Bell, Bowman, Bunyan, Cardwell, Chapman, Culbertson, Daggy, Davidson, Friedley of Scott, Gooding, Grove, Hackleman, Harney, Haworth, Henderson, Hendricks, Hough, Howard, Humphries, Johnston of Parke, LaRue, Maxwell, Neff, Oliver, Peed, Rhodes, Roe, Scott, Skinner, Slater, Sleeth, Smith, Stockslager, Underwood, Wilson and Winterbotham—39.

Those who voted in the negative were,

Messrs. Boone, Friedley of Lawrence, Givan and Major—4.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Ordered, that the Secretary inform the House of the passage of the bill.

By consent, Mr. Underwood offered the following resolution:

Resolved, That the regular Committee on State Prisons be allowed the usual mileage for visiting the Northern and Southern Prisons, and that the President of the Senate be directed to draw his warrant for the same.

Was read and referred to the Committee on Finance.

By consent, Mr. Tobin offered the following concurrent resolution:

WHEREAS, There has existed an error in the principal of the common school fund, held in trust by Spencer county, since June, 1866, by reason of an excess of said principal being by mistake reported as assets thereof.

Resolved by the General Assembly of the State of Indiana, That the State Superintendent of Public Instruction, and the Auditor and Treasurer of Spencer county be, and they are hereby authorized to reopen the account between Spencer county and the State for the purpose of correcting errors, and when said errors shall have been corrected, the said committee shall have the account closed.

Which was adopted.

By consent, Mr. Haworth offered the following:

Resolved, That the special committee charged with the investigation of the charges of corruption and mismanagement of the Hospital for the Insane be, and they are hereby requested to report to the Senate by to-morrow morning the progress or results of their investigation under said appointment.

Which was adopted.

Mr. Daggy moved to take up Senate Bill No. 77.

Which was agreed to.

The question being on concurring in the amendments of the House.

Which was agreed to.

Ordered, that the Secretary inform the House of the concurrence of the Senate.

Mr. Slater made the following report:

MR. PRESIDENT:

Your Committee on Claims, to whom was referred a report of the expenses incurred by the Committee on State House Plans, appointed by the last General Assembly of the State of Indiana, have duly considered the same, and have directed me to report as follows:

Your Committee find that the members of the said State House Committee were employed in the performance of the duties assigned to them under the resolution of the last General Assembly the following number of days, to-wit:

Senator Scott.....	38 days.
“ Chapman	13 “
“ Slater.....	41 “
Representative King.....	33 “
“ Branham	43 “
“ Glazebrook.....	58 “
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Total.....	206 “

And your Committee further find that each of the members aforesaid incurred actual personal expense as follows:

Hon. L. D. Glazebrook.....	\$127 00
“ Edward King.....	8 00
“ D. C. Branham.....	50 70
“ M. R. Slater.....	14 00
“ H. D. Scott.....	38 35
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Total expenses.....	\$252 05

Your committee, therefore, unanimously voted to allow the members aforesaid the following amounts, and recommend that they be referred to the Finance Committee for incorporation into the Specific Appropriation Bill, to-wit:

Hon. L. D. Glassbrook—

Per diem, 58 days, \$8.....	\$404 00
Expenses.....	127 00
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Total.....	591 00

Hon. Edward King—

Per diem 33 days, \$8.....	\$264 00
Expenses	8 00
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Total.....	\$272 00

Hon. D. C. Branham—

Per diem 43 days, \$8.....	\$344 00
Expenses	14 00
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Total	\$358 00

Hon. C. W. Chapman—

Per diem 13 days, \$8.....	\$104 00
Expenses	50 70
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Total.....	\$154 70

Hon. M. R. Slater—

Per diem 41 days, \$8.....	\$328 00
Expenses	14 00
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Total.....	\$342 00

Hon. H. D. Scott—

Per diem 38 days, \$8.....	\$304 00
Expenses	38 35
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Total.....	\$342 35

Total per diem and expenses.....\$2,060 05

Your committee further find that on the 20th day of March there will be due Judge E. B. Martindale for rent of the room in which the various architects' plans are now exhibited, six months rent, at eighty dollars per month, and therefore recommend that the Finance Committee make him an allowance in the specific appropriation bill of the sum of \$480.

Your committee further find that the Hon. W. W. Curry has acted as Secretary to such State House Plans Committee from the beginning of its labors up to the present time, and the testimony of such committee is that he has done a great amount of labor in that capacity. Mr. Curry claims \$500 to cover all his services in full, and of which proffers to pay accrued janitor hire and gas bill for the State House plans room in Martindale's block, and under the

direction of this Assembly, box up and return to the architects all rejected plans, etc., and sell off the furniture in said room and pay the proceeds into the State Treasury without expense to the State. We therefore recommend that he be allowed \$500, and that it be referred to the Finance Committee for incorporation into the specific appropriation bill.

The report was concurred in, and the report referred to the Committee on Finance.

Mr. Hendricks made the following report.

MR. PRESIDENT.

Your Committee on Claims, to whom was referred the claims of Joseph D. Evans, George W. Bennet, Martin H. Bennet, William H. Williams and William B. Lyons, by Alford Ryors, Esq., their attorney, have had the same under consideration, and have directed me to report the same back to the Senate, recommending that they be paid and that they be referred to the Finance Committee for incorporation into the Specific Appropriation Bill.

The claims are for the sum of \$400 each, veteran bounty due them for assignment upon the quota of the city of Indianapolis, and now in the State Treasury for their use.

We recommend that in incorporating them into the Specific Appropriation Bill, a clause be added, requiring the Auditor of State to take from their attorney before issuing his warrant' a sworn statement that the claims are genuine and in good faith filed, and the money claimed for their exclusive use and benefit.

Your Committee also return herewith, a claim of Robert I. Morrison for the sum of \$100 for services in examining and reporting upon the condition of the Clerk's office of Marion county and which caused the payment of a large amount of docket fees, etc., into the State Treasury. Your Committee recommend payment of the claim, and that it be referred to the Committee on Finance for incorporation into the Specific Appropriation Bill.

Which was adopted.

Mr. Hackleman made the following report :

MR. PRESIDENT :

Your Committee on Claims, to whom was referred a claim of the Wabash and Erie Canal Trustees, for re-imbusement to them of \$3,757.52 expenses incurred in defending their trust against certain suits, report that this sum is made up of the following separate items :

Costs in Beers <i>vs.</i> Trustees Wabash and Erie Canal.....	\$1,276 32
Costs in Cohen <i>vs.</i> Trustees of Wabash and Erie Canal...	240 00
Costs in Furguson <i>vs.</i> Trustees of Wabash and Erie Canal	1,140 63
	<hr/>
	\$3,757 52

Your committee are of the opinion that the State, not having been a party to the cases of Beers, Cohen or Furguson, is not justly liable for the costs of those cases, and therefore recommend that they be not allowed,

As to the Garrett case, it is notorious that the State was, by her own action, a party defendant, and that she was beaten, and took up and paid the bonds upon which that case was based, and it seems to your committee that she should pay the costs also. We therefore recommend that the sum of \$1,140.63, costs of the Garrett case, be allowed in the Specific Appropriation Bill. Their terms are as follows :

D. D. Brott, Attorney for Trustees.....	\$574 55
John Pusha, " "	500 00
Courts and costs in Carroll and Cass counties.....	66 08

Mr. Givan moved to lay the report on the table.

Messrs. Givan and Bell demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Baxter, Bearss, Bell, Bowman, Bunyan, Cardwell, Chapman, Culbertson, Daggy, Davidson, Dykeman, Friedley of Lawrence, Givan, Gooding, Grove, Haworth, Henderson, Hough,

Howard, Humphries, Johnson of Floyd, Johnston of Parke, LaRue, Major, Maxwell, Neff, Oliver, Peed, Rhodes, Ringo, Scott, Slater, Sleeth, Stockslager, Tobin, Underwood and Wilson—37.

Those who voted in the negative were,

Messrs. Cree, Hackleman, Harney, Hendricks, Sarnighausen, Skinner and Winterbotham—7.

So the motion was agreed to and the report laid on the table.

Mr. Johnston of Parke, from the Committee on Enrolled Bills, reported that Enrolled Senate Act No. 337 was correctly enrolled.

Mr. Cree made the following report :

MR. PRESIDENT :

The Committee on Claims, to whom was referred the claims of certain witnesses for their fees and mileage in the courts, case of Kline *vs.* Burson, have examined the same, and have made the following allowances, which are recommended to be referred to the Finance Committee, for incorporation into the Specific Appropriation Bill, to-wit :

David G. Roderick.....	\$14 30
Leonard Cline.....	14 30
Eli Roderick.....	14 30
Henry Cline.....	30 00
John Jones.....	14 30
Miles S. Smith.....	9 90
Jeremiah Bice.....	11 40
C. L. Branson.....	9 30
E. H. Meniffee.....	9 30
	<hr/>
	\$127 10

Mr. Rhodes moved to lay the report on the table.

Which was agreed to.

Mr. Harney made the following report.

MR. PRESIDENT:

Your Committee on Claims, to whom was referred the claim of Samuel S. Sinclair, make the following report:

Sinclair purchased the south east quarter of the north west quarter of section 10, township 32 north range 4, in Starke county, Indiana, under claim of title which began with a swamp land conveyance by the State. Some time afterwards, he discovered that the land in question was held by one Charles E. Bill under United States land warrant No. 740, and in order to protect himself, had to purchase Bill's title, which he did on the 7th day of November, 1871, for the sum of \$200.

Your Committee recommend that he be allowed the sum of \$200 with 6 per cent. interest thereon from November 7th 1871, making in all \$40 and that this claim be now referred to the Finance Committee for incorporation into the Specific Appropriation Bill.

Which was adopted.

The claim of J. J. Palmer, for paving Tennessee street, in the city of Indianapolis, was rejected.

Engrossed House Bill No. 26. A bill in relation to and prescribing some of the duties and liabilities of the clerks of the several courts of this State, etc., etc.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Baxter, Bearss, Bell, Boone, Bowman, Bunyan, Cardwell, Chapman, Culbertson, Daggy, Dykeman, Givan, Gooding, Grove, Hackleman, Haworth, Henderson, Hendricks, Hough, Humphries, Johnston of Parke, LaRue, Major, Neff, Peed, Rhodes, Ringo, Roe, Sarnighausen, Scott, Smith, Stockslager, Tobin, Underwood, Wilson and Winterbotham—37.

Those who voted in the negative were,

Messrs. Friedley of Lawrence, Howard and Slater—3.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Ordered, that the Secretary inform the House of the passage of the bill.

Engrossed House Bill No. 52. A bill to amend section 1 of an act entitled "An act to amend sections 15 and 16 of an act entitled 'an act for the incorporation of towns, defining their powers, providing for the election of officers thereof, and declaring an emergency.'"

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Boone, Culbertson, Friedley of Lawrence, Grove, Hackleman, Howard, LaRue, Maxwell, Oliver, Rhodes and Scott—11.

Those who voted in the negative were,

Messrs. Baxter, Bell, Bunyan, Cardwell, Chapman, Cree, Daggy, Davidson, Dykeman, Givan, Gooding, Harney, Haworth, Henderson, Hendricks, Hough, Humphries, Johnson of Floyd, Johnston of Parke, Major, Neff, Ringo, Roe, Sarnighausen, Slater, Sleeth, Smith, Stockslager, Tobin, Underwood, Wilson and Winterbotham—32.

So the bill failed to pass.

Engrossed House Bill No. 67. A bill to authorize a change of name and style of certain educational institutions organized under special charters in this State, and declaring an emergency.

Was read a third time with engrossed Senate amendments.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bearss, Bell, Boone, Bowman, Bunyan, Cardwell, Chapman, Culbertson, Daggy, Davidson, Dykeman, Friedley of Lawrence, Grove, Hackleman, Haworth, Henderson, Hendricks, Hough, Howard, Humphries, LaRue, Major, Maxwell, Oliver, Rhodes, Ringo, Roe, Scott, Skinner, Smith, Stockslager, Tobin, Underwood, Wilson and Winterbotham—37.

Those who voted in the negative were,

Messrs. Givan, Gooding, Johnston of Parke and Slater—4.

So the bill passed.

The question being, shall the title as read stand as the title of the bill ?

It was so ordered.

Ordered, that the Secretary inform the House of the passage of the bill.

Engrossed House Bill No. 403, A bill to legalize the incorporation of the town of Tipton, Tipton county, Indiana, and the official acts of the several boards of trustees, and all other officers of the incorporation, etc., was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bearss, Bunyan, Cardwell, Daggy, Davidson, Dykeman, Friedley of Lawrence, Hackleman, Harney, Haworth, Henderson, Hendricks, Hough, Howard, Humphries, Johnson of Floyd, Johnston of Parke, Peed, Rhodes, Scott, Skinner, Tobin, Underwood and Winterbotham—26.

Those who voted in the negative were,

Messrs. Bell, Boone, Bowman, Chapman, Givan, LaRue, Major, Maxwell, Neff, Ringo, Roe, Slater, Smith and Stockslager—14.

So the bill passed.

The question being, shall the title as read, stand as the title of the bill?

It was so ordered.

Ordered, that the Secretary inform the House of the passage of the bill.

Message from the Governor, by his Private Secretary:

MR. PRESIDENT:

By direction of the Governor, I have the honor to transmit his communication, nominating a person as a manager of the Indiana Reformatory Institution for Women and Girls, and asking the Senate to advise and consent to his appointment by him.

EXECUTIVE DEPARTMENT,

INDIANAPOLIS, March 5, 1875.

Gentlemen of the Senate :

I nominate Henry Kappes, of Marion county, as a Manager of the Indiana Reformatory Institution for Women and Girls, to serve as such for the term of four years from the first day of May, 1875, and I respectfully ask that the Senate will advise and consent to his appointment by me.

THOMAS A. HENDRICKS,

Governor.

Message from the House by Mr. Holmes, Clerk thereof:

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed the following Engrossed House Bills :

House Bill No. 85, entitled "An act prescribing the jurisdiction and power of justices of the peace in civil cases, and in cases of misdemeanor, and defining the duty of prosecuting attorneys in cases of misdemeanor."

Also, House Bill No. 400, entitled "An act to legalize the election held in the years 1872, 1873 and 1874, in the town of Knightstown, Henry county, Indiana, and to legalize the official acts of the several boards of trustees for said years, and the assessment and levying of taxes by said corporation under an act for the incorporation of towns, defining their powers, providing for the election of the officers thereof, and declaring their duties," approved June 11, 1852, and all by-laws, rules, regulations and proceedings adopted in pursuance thereof.

Also, House Bill No. 353, entitled "An act to provide for the care and custody of statutes furnished members of the Legislature by the State, and providing the duties of certain officers in relation thereto, and declaring an emergency."

Also, House Bill No. 486, entitled "An act prescribing the means whereby judgment plaintiffs may require other additional replevin bail on judgments before justices of the peace, when bail has become insufficient, and authorizing justices of the peace to require additional replevin bail when insufficient bail has been taken.

Also, House Bill No. 448, entitled "An act to amend the 447th section of an act entitled 'an act to revise, simplify and abridge the rules, practice, pleading and forms in civil cases in the courts of this State, to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity.'"

Also, House Bill No. 437, entitled "An act to amend section 23 of an act entitled 'an act concerning the partition of lands,' approved May 20, 1852, and adding a supplemental section thereto.

Also, House Bill No. 262, entitled "An act to amend sections 1 and 3 of an act entitled 'an act supplementary and amendatory of an act entitled an act to provide for a uniform assessment of property, and for the collection and return of taxes thereon,' approved December 21, 1872, and adding a supplemental section thereto.

Also, House Bill No. 443, entitled "An act to authorize the United States to procure by purchase or condemnation lands within this State," etc.

And the same are herewith transmitted for the action of the Senate.

I am further directed by the House to inform the Senate that the House has passed Engrossed Senate Bill No. 337, a bill to legalize the election of the officers of the town of Zionsville.

Also, Engrossed Senate Bill No. 151, an act to authorize incorporated cities in this State to construct, extend, widen, deepen, repair, and otherwise improve harbors, and for that purpose to condemn the lands of persons through or adjoining which such harbors may run.

And said bills are herewith returned to the Senate.

Also, I am directed by the Speaker of the House to inform the Senate that the House has passed Engrossed House Bill No. 495, a bill regulating the number and manner of electing directors for the Northern and Southern State Prisons, prescribing their duties and fixing their compensation, and the same is herewith transmitted for the action of the Senate.

Also, I am directed by the House to inform the Senate that the House has passed Engrossed House Bill No. 490, an act making specific appropriations for the year 1875, and the same is herewith transmitted for the action of the Senate.

Also, I am directed by the Speaker of the House to inform the Senate that he has signed the following Enrolled House Bills: Nos. 224, 153 and 200.

Mr. Chapman moved to suspend the order of business, and take up Engrossed House Bill No. 496, a bill making specific appropriations for the year 1875.

Which was agreed to.

Was read a first time, and referred to the Committee on Finance.

Mr. Chapman made the following report:

MR. PRESIDENT.

Your Committee on Finance, to whom was referred Engrossed House Bill No. 489 entitled, "An act making general appropriations

for the years 1875 and 1876, and authorizing certain State officers to make temporary loans in certain contingencies" have given such bill their most careful consideration, and as a result of their deliberations have directed me to report the bill with the following amendments thereto, back to the Senate.

The greater number of the amendments are recommended unanimously, but certain of them were only carried by a majority vote, as will be shown at the proper place in the report, and in regard to some of which, a minority report will be submitted.

The following are the amendments in order :

1. Amend section four providing for the Governor's civil contingent fund by striking out the words "one thousand" and inserting in lieu thereof the words "two thousand."

2. Amend section five providing for the traveling expenses of the Superintendent of Public Instruction by striking out the words "sixteen hundred dollars," and insert in lieu the words "six hundred dollars."

3. Amend section seven by striking out the words or "Common Pleas."

4. Amend section eleven providing for the public printing during the year 1875 by striking out the words "thirty thousand dollars," and inserting in lieu thereof the words "forty thousand dollars."

5. Amend section fifteen providing for Governor's civil contingent fund for the year 1876, by striking out the words "one thousand" and inserting in lieu thereof the words "two thousand."

6. Amend section sixteen providing for traveling expenses of the Superintendent of Public Instruction for 1876, by striking out the words "sixteen hundred dollars" and inserting in lieu thereof the words "six hundred dollars."

7. Amend section 24 providing for the current expenses of the Institution for the Education of the Deaf and Dumb for the year

1875, by striking out the words "sixty-seven thousand five hundred dollars" and inserting in lieu thereof the words "sixty thousand dollars."

This amendment was adopted by a majority vote, Messrs. Harney, Dykeman and Bowman voting aye, and Messrs. Chapman and Hough voting no.

8. Amend section 29 appropriating as preceding amendment, but for the year 1876, same amendment, and adopted by same vote.

9. Amend section 35 by striking out the words "thirty-eight Circuit Judges" and inserting in lieu thereof the words "forty Circuit Judges," and by striking out the words "twenty-five thousand dollars" and inserting in lieu thereof the words "one hundred thousand dollars."

10. Amend section 36 by striking out "thirty-eight" and inserting in lieu thereof "forty," and striking out "nineteen thousand," and inserting "twenty thousand."

11. Amend section 37 by striking out all of such section down to and including the word "dollars" at the end of the sixth line of such section, and by inserting after the word "expenses" at the beginning of the eighth line of such section the words "of the State Normal School."

12. Amend by striking out section 38 appropriating one thousand dollars for sewerage at the House of Refuge.

13. The majority of your committee also recommend that sections 44, 45 and 46 be stricken out entirely, the committee now having under consideration a House bill covering the same ground in substance and language.

Those voting in favor of this amendment were, Messrs. Beardsley, Chapman, Friedley of Scott and Hough.

Those voting against, Messrs. Dykeman and Harney.

And the majority of your committee recommend that when the bill is amended as herein set forth, that the same do pass.

Mr. Harney moved that the report making amendments to the bill be considered in their order.

Which was agreed to.

First amendment, read and agreed to.

Second amendment, read and agreed to.

Third amendment, read and agreed to.

Fourth amendment, read and not agreed to.

Fifth amendment, read and not agreed to.

Sixth amendment, read and agreed to.

Seventh amendment. On this amendment Messrs. Johnston of Parke and Chapman demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Bearss, Boone, Bowman, Bunyan, Cardwell, Cree, Culbertson, Daggy, Dykeman, Givan, Grove, Harney, Henderson, Humphries, Johnson of Floyd, LaRue, Major, Maxwell, Rhodes, Roe, Skinner, Slater, Smith, Stockslager, Tobin, Wilson and Winterbotham—27.

Those who voted in the negative were,

Messrs. Baxter, Beardsley, Bell, Chapman, Davidson, Friedley of Lawrence, Gooding, Hackleman, Haworth, Hendricks, Hough, Howard, Johnston of Parke, Neff, Oliver, Peed, Ringo, Sarnighausen, Scott, Sleeth and Underwood—21.

So the amendment was agreed to.

Eighth amendment, read and agreed to.

Ninth amendment, read and agreed to.

Tenth amendment, read and agreed to.

Eleventh amendment, read, and on this Messrs. Scott and Neff demanded the ayes and noes on concurring in the amendment.

Those who voted in the affirmative were,

Messrs. Bearss, Bell, Boone, Bowman, Cree, Culbertson, Daggy, Davidson, Dykeman. Friedley of Lawrence, Friedley of Scott, Givan, Grove, Harney, Haworth, Henderson, Johnston of Parke, LaRue, Major, Maxwell, Neff, Peed, Ringo, Sarnighausen, Skinner, Slater, Sleeth, Smith and Stockslager—29.

Those who voted in the negative were,

Messrs. Baxter, Beardsley, Bunyan, Cardwell, Chapman, Hackleman, Hendricks, Hough, Howard, Humphries, Oliver, Rhodes, Roe, Scott, Tobin, Underwood, Wilson and Winterbotham—18.

So the amendment was agreed to.

Twelfth amendment, read and agreed to.

Thirteenth amendment, read.

The question being on concurring in this amendment.

Mr. Harney moved to adopt the minority report of the committee.

On this Mr. Rhodes moved that the motion do lie on the table.

Messrs. Rhodes and LaRue demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bearss, Bunyan, Cardwell, Chapman, Daggy, Friedley of Lawrence, Friedley of Scott, Gooding, Hackleman, Haworth, Hough, Howard, Johnston of Parke, LaRue, Major, Neff, Oliver, Rhodes, Roe, Scott, Sleeth, Tobin and Underwood—25.

Those who voted in the negative were,

Messrs. Bell, Boone, Bowman, Culbertson, Davidson, Dykeman,

Givan, Grove, Harney, Henderson, Hendricks, Humphries, Johnson of Floyd, Maxwell, Peed, Ringo, Sarnighausen, Skinner, Slater, Smith, Stockslager, Wilson and Winterbotham—23.

So the motion was laid on the table and the amendment concurred in.

The report of the committee as amended was then agreed to.

Engrossed House bill No. 489 was read a second time.

Mr. Slater moved to amend by striking out \$35,000 and inserting \$15,000 for the Reform School.

Mr. Haworth moved that the amendment do lie on the table.

Messrs. Slater and Smith demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Baxter, Bearss, Bell, Boone, Bunyan, Cardwell, Chapman, Cree, Culbertson, Daggy, Davidson, Dykeman, Friedley of Lawrence, Givan, Gooding, Hackleman, Harney, Haworth, Henderson, Hendricks, Hough, Howard, Humphries, Johnson of Floyd, Johnston of Parke, LaRue, Major, Maxwell, Neff, Oliver, Rhodes, Ringo, Roe, Sarnighausen, Scott, Sleeth, Underwood, Wilson and Winterbotham—39.

Those who voted in the negative were,

Messrs. Bowman, Grove, Peed; Skinner, Slater, Smith and Stockslager—7.

So the motion was agreed to and the amendment laid on the table.

Mr. Dykeman's amendment :

Mr. Chapman moved that the amendment do lie on the table.

Messrs. Slater and Smith demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bell, Boone, Bowman, Bunyan, Cardwell, Chapman, Cree, Culbertson, Daggy, Friedley of Lawrence, Gooding, Hackleman, Haworth, Hendricks, Hough, Howard, Johnson of Parke, LaRue, Major, Maxwell, Neff, Oliver, Rhodes, Scott, Sleeth, Underwood and Wilson—28.

Those who voted in the negative were,

Messrs. Bearss, Davidson, Givan, Grove, Henderson, Humphries, Peed, Ringo, Roe, Sarnighausen, Skinner, Slater, Smith, Stockslager, Tobin and Winterbotham—16.

So the motion was agreed to and the amendment laid on the table.

Mr. Chapman moved the previous question, which was seconded by the Senate.

The question being, shall the main question now be put?

It was so ordered.

The question being on the engrossment of the amendments,

The ayes and noes were taken.

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bunyan, Cardwell, Chapman, Culbertson, Friedley of Lawrence, Friedley of Scott, Gooding, Hackleman, Haworth, Hough, Howard, Johnston of Parke, LaRue, Major, Neff, Oliver, Rhodes, Roe, Scott, Sleeth, Tobin, Underwood and Wilson—25.

Those who voted in the negative were,

Messrs. Bearss, Bell, Boone, Bowman, Daggy, Davidson,
S. J.—72

Dykeman, Givan, Grove, Harney, Henderson, Hendricks, Humphries, Maxwell, Peed, Ringo, Sarnighausen, Skinner, Slater, Smith, Stockslager and Winterbotham—22.

So the amendment was ordered engrossed.

Report by Mr. Oliver :

Report of the Committee on Public Buildings and State House Plans :

TO THE GENERAL ASSEMBLY OF INDIANA :

Gentlemen: Your Committee on Public Buildings would respectfully call your attention to the fact there are now in the possession of the committee a large number of plans, submitted as suitable for a State House, in the care of the State; that these plans are claimed by their owners as having a large money value, and that the State is responsible for their safe return to their owners. Having indefinitely postponed the erection of a State House, it is the duty of the General Assembly to give orders for the disposal of these plans, that the State may be relieved from further liability. We therefore recommend to you the adoption of the accompanying concurrent resolution :

WHEREAS, The General Assembly has indefinitely postponed the erection of a new State House ; and

WHEREAS, It is necessary to properly dispose of the plans for a State House, now in possession of the State ; therefore,

Resolved by the Senate, the House concurring, That the Joint Committee on Public Buildings cause the four plans recommended to the General Assembly to be deposited in the State Library, with the consent of the owners, to be safely kept by the Librarian, subject to the order of the General Assembly at any future session. That they cause all other plans to be delivered or shipped to the several owners ; that they cause their Secretary to deliver all books and papers of the State relating to the State House to the safe keeping of the Secretary of State ; that they sell the furniture of their rooms and place the proceeds in the State Treasury, deliver said rooms to the possession of the owner thereof, dispense with the further services of a Secretary, and close up their business relating to a State House as soon as possible.

Resolved further, That as this General Assembly has not acted upon the report of the special committee, nor upon the report of the joint committee of this General Assembly, the contest is therefore undetermined as to such plans reported by the majority of the committee nor upon the report of the minority of such committee that the owner of any one of said plans may, if he so desire, withdraw from such contest, and such withdrawal shall exonerate the State from all liability on account of the same, and that such of said owners as do not withdraw from such contest may perfect any portion of his plan in any particular by depositing with the State Librarian any additional elevation or plan of any story of such plan, or other drawing, with additional specifications and more elaborate details of such plans and specifications; Provided, that the original drawing and specifications shall not be withdrawn or substituted, nor shall any additional drawing, plans or specifications allowed by this resolution change the order of the contest as reported by such committee before the final action of the General Assembly, but the said owners, until the same is changed, shall have the benefit of the said reports in their proper order, to-wit, Charles Eppinghaus, first choice of majority of committee; J. C. Johnson, second choice of majority of committee; G. B. L. Cooper, third choice of majority of committee; E. C. Myers, first choice of minority of committee.

Mr. Slater moved that the report do lie on the table.

Which was not agreed to.

The report was concurred in.

Report by Mr. Sleeth.

MR. PRESIDENT.

The Committee on the Judiciary, to whom was referred Senate Joint Resolution No. 12, providing for an amendment to section 14 of article 2 of the Constitution, have had the same under consideration, and have instructed me to report the same back with the recommendation that it pass.

Mr. Boone moved to suspend the constitutional rule requiring bills to be read on three several days, that Senate Joint Resolution No. 12, a joint resolution to amend article 2 section 14 of the Constitution may be read a second time by title, and a third time by sections now.

The ayes and noes being taken under the rule,

Those voting in the affirmative were,

Messrs. Baxter, Beardsley, Bearss, Bell, Boone, Bowman, Bunnan, Cardwell, Chapman, Cree, Culbertson, Davidson, Dykeman, Friedley of Scott, Givan, Gooding, Grove, Hackleman, Haworth, Hendricks, Hough, Howard, Humphries, Johnson of Floyd, Johnston, of Parke, LaRue, Major, Maxwell, Neff, Oliver, Rhodes, Ringo, Roe, Sarnighausen, Scott, Sleeth, Smith, Stockslager, Tobin, Underwood and Wilson—41.

Senators Daggy, Harney and Slater voting in the negative.

So the constitutional rule was suspended and the joint resolution read a second time by title considered engrossed, and read a third time by sections.

The question being, shall the joint resolution pass?

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bearss, Bell, Boone, Bowman, Bunnan, Cardwell, Chapman, Cree, Culbertson, Daggy, Davidson, Dykeman, Friedley of Lawrence, Friedley of Scott, Givan, Gooding, Grove, Hackleman, Haworth, Henderson, Hough, Howard, Humphries, Johnston of Parke, LaRue, Major, Maxwell, Neff, Peed, Rhodes, Roe, Sarnighausen, Scott, Skinner, Sleeth, Smith, Stockslager, Tobin, Underwood, Wilson and Winterbotham—44.

Senators Harney and Slater voted in the negative.

So the joint resolution passed.

The question being, shall the title as read stand as the title of the joint resolution?

It was so ordered.

Ordered, That the Secretary inform the House of the passage of the joint resolution.

On motion by Mr. Johnston of Parke, the Senate took a recess, until 7:30 o'clock this evening.

EVENING SESSION.

Senate re-assembled, President in the chair.

Mr. Johnston of Parke moved to reconsider the vote whereby appropriation to the Normal School was stricken out of the general appropriation bill.

Which was agreed to.

The question being on concurring in the report of the committee, the ayes and noes being taken,

Those who voted in the affirmative were,

Messrs. Boone, Bowman, Chapman, Culbertson, Davidson, Givan, Grove, Harney, Howard, Johnson of Floyd, Peed, Ringo, Sarnighausen, Skinner and Slater—15.

Those who voted in the negative were,

Messrs. Baxter, Beardsley, Bell, Bunyan, Cardwell, Cree, Daggy, Friedley of Lawrence, Friedley of Scott, Gooding, Hackleman, Haworth, Hendricks, Hough, Humphries, Johnston of Parke, LaRue, Major, Maxwell, Neff, Oliver, Rhodes, Roe, Scott, Tobin, Underwood and Wilson—27.

So the report of the committee was not concurred in.

Engrossed House Bill No. 138. An act for the destruction of wolves and foxes, repealing all laws and parts of laws inconsistent herewith and declaring an emergency.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Baxter, Bell, Boone, Bowman, Cardwell, Chapman, Cree, Culbertson, Daggy, Davidson, Friedley of Lawrence, Givan,

Grove, Hackleman, Harney, Haworth, Henderson, Hendricks, Hough, Howard, Johnson of Floyd, Major, Maxwell, Peed, Rhodes, Ringo, Roe, Sarnighausen, Scott, Skinner, Slater, Sleeth, Tobin, Underwood Wilson and Winterbotham—36.

Those who voted in the negative were,

Messrs. Beardsley, Bunyan, Friedley of Scott, Gooding, Humphries, Johnston of Parke, LaRue, Neff and Oliver—10.

So the bill passed.

The title as read, was ordered as the title of the bill.

Ordered, that the Secretary inform the House of the passage of the bill?

On motion by Mr. Harney, the floor of the Senate Chamber was cleared of all except Senators.

Engrossed House Bill No. 69. An act authorizing boards of county commissioners to levy taxes to construct, repair or purchase, gravel, macadamized or other improved roads.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bell, Boone, Bunyan; Chapman, Cree, Culbertson, Daggy, Davidson, Givan, Grove, Hackleman, Harney, Haworth, Henderson, Hendricks, Hough, Howard, Humphries, Johnson of Floyd, Johnston of Parke, LaRue, Major, Maxwell, Neff, Oliver, Peed, Rhodes, Ringo, Roe, Sarnighausen, Scott, Skinner, Slater, Sleeth, Tobin, Underwood, Wilson and Winterbotham—40.

Those who voted in the negative were,

Messrs. Bowman, Cardwell, Friedley of Lawrence, Friedley of Scott and Gooding—5.

So the bill passed.

The title as read was ordered as the title of the bill.

Ordered that the Secretary inform the House of the passage of the bill.

Engrossed House Bill No. 132. A bill to prevent the indiscriminate shooting into the roostings of wild pigeons.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bell, Boone, Bunyan, Cardwell, Chapman, Culbertson, Daggy, Davidson, Dykeman, Friedley of Scott, Grove, Hackleman, Haworth, Henderson, Hendricks, Hough, Howard, Johnson of Floyd, Johnston of Parke, LaRue, Major, Maxwell, Oliver, Ringo, Roe, Sarnighausen, Scott, Skinner, Sleeth, Tobin, Underwood and Wilson—34.

Those voting in the negative were,

Messrs. Bowman, Cree, Friedley of Lawrence, Givan, Humphries, Neff, Peed, Rhodes, Slater and Winterbotham—10.

So the bill passed.

The title as read was ordered as the title of the bill.

Ordered, That the Secretary inform the House of the passage of the bill.

Engrossed House Bill No. 191. An act supplemental to an act to establish Superior Courts, defining their jurisdiction, and providing for the election and compensation of judges thereof, approved February 15, 1871.

Was read a third time.

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bell, Bowman, Bunyan, Chapman,

Culbertson, Daggy, Dykeman, Friedley of Scott, Givan, Gooding, Grove, Hackleman, Harney, Haworth, Henderson, Hendricks, Hough, Howard, Humphries, Johnston of Parke, LaRue, Major, Neff, Oliver, Peed, Rhodes, Roe, Sarnighausen, Scott, Skinner, Slater, Sleeth, Tobin, Underwood, Wilson and Winterbotham—38.

Those who voted in the negative were,

Messrs. Boone, Cardwell, Cree, Davidson, Friedley of Lawrence, Johnson of Floyd, Maxwell and Ringo—8.

So the bill passed.

The title as read was ordered as the title of the bill.

Ordered, that the Secretary inform the House of the passage of the bill.

Engrossed House Bill No. 193. An act to amend section 672 of an act to revise, simplify and abridge the rules, practice and pleadings and forms in civil cases in the courts of this State, to abolish distinct forms of action, etc., approved June 18, 1852.

Was read a third time.

The question being, shall the bill pass?

No Senator voting in the affirmative.

Those who voted in the negative were,

Messrs. Baxter, Beardsley, Bell, Boone, Bowman, Bunyan, Cardwell, Chapman, Cree, Culbertson, Daggy, Davidson, Dykeman, Friedley of Lawrence, Givan, Grove, Hackleman, Harney, Haworth, Henderson, Hendricks, Hough, Howard, Humphries, Johnson of Floyd, Johnston of Parke, LaRue, Major, Maxwell, Neff, Oliver, Peed, Rhodes, Ringo, Roe, Sarnighausen, Scott, Skinner, Slater, Sleeth, Tobin, Underwood, Wilson and Winterbotham—44.

So the bill failed to pass.

Engrossed House Bill No. 164. An act to revise, simplify and abridge the rules, practice, pleadings and forms, etc., approved June 18, 1852.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bell, Bunyan, Cardwell, Chapman, Culbertson, Daggy, Dykeman, Friedley of Scott, Hackleman, Harney, Haworth, Henderson, Hough, Humphries, Johnston of Parke, Peed, Sarnighausen, Scott, Skinner, Slater, Sleeth, Tobin, Underwood, Wilson and Winterbotham—27.

Those who voted in the negative were,

Messrs. Boone, Bowman, Davidson, Givan, Grove, Hendricks, Howard, LaRue, Major, Rhodes, Ringo and Roe—14.

So the bill passed.

The title as read was ordered as the title of the bill.

Ordered, that the Secretary inform the House of the passage of the bill.

Engrossed House Bill No. 44. An act in reference to county commissioners, etc.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bell, Boone, Bunyan, Cardwell, Chapman, Cree, Culbertson, Daggy, Davidson, Dykeman, Friedley, of Lawrence, Friedley of Scott, Givan, Gooding, Grove, Hackleman, Harney, Haworth, Henderson, Hendricks, Hough, Howard, Humphries, Johnson of Floyd, Johnston of Parke, LaRue, Major, Maxwell, Neff, Oliver, Peed, Rhodes, Ringo, Roe, Scott, Skinner, Sleeth, Tobin, Underwood, Wilson and Winterbotham—43.

Those who voted in the negative were,

Messrs. Bowman and Slater—2.

The question being shall the title as read stand as the title of the bill.

It was so ordered, and referred to the Committee on Titles.

Mr. LaRue called up Engrossed House Bill No. 86 that failed to pass on yesterday for want of a constitutional majority.

The question being, shall the bill pass ?

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Boone, Bowman, Chapman, Culbertson, Daggy, Davidson, Friedley of Scott, Gooding, Hendricks, Howard, Johnston of Parke, LaRue, Neff, Roe, Slater, Sleeth and Underwood—19.

Those who voted in the negative were,

Messrs. Bell, Bunyan, Cardwell, Cree, Dykeman, Grove, Hackleman, Harney, Haworth, Henderson, Johnson of Floyd, Major, Maxwell, Peed, Ringo, Sarnighausen, Tobin and Wilson—18.

So the bill failed to pass for want of a constitutional majority.

Engrossed House Bill No. 269, a bill to legalize the official acts of the Trustees of the town of Booneville, Warrick county, Indiana.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Baxter, Boone, Bunyan, Cardwell, Cree, Culbertson, Daggy, Davidson, Friedley of Lawrence, Givan, Hackleman, Haworth, Henderson, Hendricks, Howard, Humphries, Johnston of Parke, LaRue, Major, Maxwell, Neff, Oliver, Peed, Rhodes, Ringo, Roe, Sarnighausen, Scott, Skinner, Sleeth, Smith, Tobin, Underwood, Wilson and Winterbotham—36.

Senator Slater voting in the negative.

So the bill passed.

The title as read was ordered as the title of the bill.

Ordered that the Secretary inform the House of the passage of the bill.

Engrossed House Bill No. 195, a bill to fix the time of holding court in the Nineteenth Judicial Circuit, prescribing the length of terms, repealing all laws in conflict therewith and declaring an emergency.

Was read a third time.

The question being shall the bill pass?

Those who voted in the affirmative were,

Messrs. Baxter, Bell, Boone, Bowman, Bunyan, Cardwell, Culbertson, Daggy, Davidson, Givan, Grove, Hackleman, Haworth, Henderson, Hendricks, Hough, Howard, Humphries, Johnston of Parke, LaRue, Major, Maxwell, Oliver, Peed, Rhodes, Ringo, Roe, Sarnighausen, Scott, Skinner, Slater, Sleeth, Smith, Tobin, Underwood, Wilson and Winterbotham—37.

No Senator voting in the negative.

So the bill passed.

The title as read was ordered as the title of the bill.

Ordered, that the Secretary inform the House of the passage of the bill.

Mr. Humphries moved a suspension of the constitutional rule requiring bills to be read on three several days, and that Senate Bill No. 361 be read a second time by title, considered engrossed, and read a third time by sections now.

The ayes and noes being taken under the rule,

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bell, Boone, Bunyan, Cardwell Cree, Culbertson, Daggy, Davidson, Friedley of Lawrence, Givan,

Grove, Hackleman, Haworth, Henderson, Hendricks, Howard, Humphries, Johnston of Parke, LaRue, Major, Maxwell, Oliver, Peed, Ringo, Roe, Sarnighausen, Scott, Skinner, Slater, Sleeth, Smith, Tobin, Underwood, Wilson and Winterbotham—37.

No Senator voting in the negative.

So the constitutional rule was suspended, and Senate Bill No. 361, a bill to legalize the acts of the board of trustees of the town of Worthington, in Green county, in the annexation of certain additions to said town, was read a second time by title, considered engrossed, and read a third time by sections.

The question being, shall the bill pass?

Those who voted in the affirmative were

Messrs. Baxter, Beardsley, Bell, Boone, Bowman, Bunyan, Cardwell, Chapman, Cree, Culbertson, Daggy, Dykeman, Friedley of Lawrence, Friedley of Scott, Givan, Grove, Hackleman, Harney, Haworth, Henderson, Hendricks, Hough, Howard, Humphries, Johnston of Parke, LaRue, Major, Maxwell, Neff, Oliver, Peed, Rhodes, Ringo, Roe, Sarnighausen, Scott, Skinner, Sleeth, Tobin, Underwood, Wilson and Winterbotham—42.

Messrs. Slater and Smith voting in the negative.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Ordered, that the Secretary inform the House of the passage of the bill.

By unanimous consent, Mr. Sleeth offered the following:

WHEREAS, Senate Bill No. 343 has disappeared from the files of the House of Representatives; and

WHEREAS, The original bill, as passed by the Senate, is still in the hands of the Secretary of the Senate; therefore, be it

Resolved, That the Secretary of the Senate be directed to prepare an engrossed copy of the said bill, and transmit the same to the House for its action.

Which was adopted.

Engrossed House Bill No. 172. A bill to legalize dissection of human bodies.

Was read a third time.

Mr. Smith moved to indefinitely postpone the bill.

Messrs. Smith and Haworth demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Bunyan, Cardwell, Davidson, Friedley of Lawrence, Givan, Haworth, Humphries, Johnston of Parke, Major, Maxwell, Slater, Smith, Tobin and Wilson—14.

Those who voted in the negative were,

Messrs. Baxter, Bell, Boone, Culbertson, Daggy, Grove, Hackleman, Henderson, Hendricks, Howard, LaRue, Neff, Oliver, Peed, Roe, Sarnighausen, Scott, Skinner, Sleeth, Underwood and Winterbotham—21.

So the motion did not prevail.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Baxter, Bell, Boone, Chapman, Cree, Culbertson, Daggy, Friedley of Lawrence, Grove, Hackleman, Harney, Henderson, Hendricks, Hough, Howard, Johnson of Floyd, Neff, Oliver, Roe, Sarnighausen, Scott, Skinner, Sleeth, Underwood and Winterbotham—25.

Those who voted in the negative were,

Messrs. Bunyan, Cardwell, Davidson, Friedley of Scott, Givan, Haworth, Humphries, Johnston of Parke, Major, Maxwell, Peed, Slater, Smith, Tobin and Wilson—16.

So the bill failed to pass for want of a constitutional majority.

On motion by Mr. Culbertson, Senate Bill No. 359, a bill to amend the 45th section of an act entitled "An act to divide the State into circuits for judicial purposes, fixing the time of holding courts therein, abolishing the courts of common pleas," etc., was read a second time, the report of the Select Committee concurred in, and referred to the Committee on Organization of Courts.

Engrossed House Bill No. 97. A bill to amend section 136 of an act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in the courts of this State.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Bell, Boone, Bunyan, Cardwell, Culbertson, Daggy, Friedley of Lawrence, Haworth, Henderson, Hendricks, Howard, Humphries, Johnson of Floyd, Johnston of Parke, LaRue, Major, Maxwell, Neff, Peed, Rhodes, Sarnighausen, Scott, Skinner, Slater, Sleeth, Smith, Tobin, Underwood, Wilson and Winterbotham—30.

Those who voted in the negative were,

Messrs. Hackleman, Roe and Givan—3.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Ordered, that the Secretary inform the House of the passage of the bill.

On motion by Mr. Boone, Senate Bill No. 301, a bill to amend an act entitled, "An act to amend section 11 of an act entitled an act concerning county prisons," etc., was read a second time, the report of the Committee on the Judiciary concurred in and the bill ordered engrossed.

Engrossed House Bill No. 238, a bill to fix the times of holding circuit courts in the Fourth Judicial Circuit and to repeal all laws in conflict therewith and declaring an emergency, was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Baxter, Bell, Boone, Bunyan, Cardwell, Culbertson, Daggy, Davidson, Friedley of Lawrence, Givan, Gooding, Grove, Hackelman, Haworth, Henderson, Hendricks, Howard, Humphries, Johdson of Floyd, Johnston of Parke, LaRue, Major, Maxwell, Oliver, Rhodes, Sarnighausen, Scott, Skinner, Slater, Sleeth, Smith, Tobin, Underwood and Wilson—34.

No Senator voting in the negative.

So the bill passed.

The question being shall the title as read stand as the title of the bill?

It was so ordered.

Ordered, that the Secretary inform the House of the passage of the bill.

Report of Committee on Phraseology and Arrangement of Bills.

By Mr. Daggy on engrossed amendments to House Bill No. 290.

By Mr. Bell on engrossed amendments to House Bill No. 389.

The President announced that he had signed Enrolled House Acts Nos. 129, 200, 153 and 224.

On motion by Mr. Winterbotham the Senate adjourned until 10 o'clock to-morrow morning.

SATURDAY MORNING.

MARCH 6, 1875—10 o'clock.

Senate assembled, President in the chair.

Pending the reading of the journal, on motion by Mr. Haworth the further reading was dispensed with, and on motion by Mr. Daggy the inspection of the journal was referred to the Assistant Secretary.

Mr. Johnston of Parke made the following report :

MR. PRESIDENT:

The Committee on Rights and Privileges, to whom was referred House Bill No. 490, entitled "An act to prevent the trustees of any of the institutions therein named from borrowing money or contracting any indebtedness, or making expenditures in the name of the State in behalf of such institutions except by authority of law, as therein provided, and providing penalties for the violation thereof," have had the same under consideration and recommend the following amendments :

Amend the first section by adding the following: *Provided*, That nothing in this act shall be so construed as to prohibit such trustees from making contracts for repairs of building made or becoming necessary after the adjournment of the Legislature and before the next session thereof.

Also, amend the section by striking out the word "this," in line eight, page three, and inserting in lieu thereof the word "the."

Also, amend by adding after the word in line nine, the words "trying the same," and when so amended they recommend its passage.

Which was concurred in and the bill placed on the calendar.

Report by Mr. Johnston of Parke.

MR. PRESIDENT.

The Committee on Rights and Privileges, to whom was referred Engrossed House Bill No. 156, entitled, "An act defining certain crimes, declaring the commission of abortion a felony, prescribing punishment therefor and repealing all conflicting acts, and declaring an emergency," have had the same under consideration, and direct me to report the same back to the Senate, with the recommendation that it do lie on the table.

Report concurred in, and the bill laid on the table.

Report by Mr. Johnston of Parke.

The Committee on the Rights and Privileges, to whom was referred House Bill No. 222, entitled, "an act amendatory to an act entitled an act to provide for the protection of wild game, prescribing penalties and declaring an emergency, with instructions to amend the same, recommend the following amendment: insert after the word "bird" in line 7, page 3, the following: "except by permission of the owner of the land where found."

And when so amended, they recommend that the bill do lie on the table.

Which was concurred in, and the bill laid on the table.

Mr. Daggy moved that Senate Bill No. 15 be referred to the Committee on Titles.

Which was agreed to.

Mr. Slater presented the following claim :

State of Indiana to Leonidas Sexton, Lieut. Governor, Dr.,	
Six days services on State House plans.....	\$48 00
Three trips, traveling expenses.....	24 00
	<hr/>
	\$72 00

Which was referred to the Committee on Finance.

Report by Mr. Neff:

MR. PRESIDENT:

Your Committee on Temperance, to whom was referred House Bill No. 174, a bill to regulate the sale of spirituous, malt, vinous and other intoxicating liquors, have had the same under consideration, and a majority of the same would make the following report:

1st. That the said Bill No. 174, in its provisions, ignores the right of the majority of the people in any given locality to be heard for or against the sale of intoxicating liquors.

2d. It makes habitual drunkenness the only disqualification against the granting of license to sell intoxicating liquors.

3d. It has no provisions against drunkenness.

4th. It prescribes penalties against the sale of adulterated liquors without providing means for enforcing the same, thus leaving this provision a dead letter.

5th. It provides the citizen with no remedies against the infliction of damages against persons or property by reason of illegal sales of liquors.

6th. It repeals all laws in conflict with its provisions, without saving pending prosecutions or rights acquired under existing laws, by reasons of damages to persons or property.

Therefore, for these and many other reasons, your Committee could not recommend the passage of a bill so defective in its provisions, and so demoralizing in its effects upon society, but return the same to the Senate with the recommendation that it do lie upon the table.

Was placed on the calendar.

Report by Mr. Johnston of Parke:

MR. PRESIDENT:

The Committee on Judiciary, to whom was referred Senate Bill

No. 333, entitled "An act releasing any interest which may be supposed to exist in the State of Indiana to the Beaver Lake in Newton county, and to settle conflicting claims thereto," have had the same under consideration, and have directed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

Was placed on the calendar.

Message from the House by Mr. Holmes, Clerk thereof.

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed the following Engrossed Senate Bills, to-wit:

Engrossed Senate Bill No. 344, entitled "An act for the relief of Alexander D. Carmichael, Christopher C. Whisenand, James Dodd and Jackson H. Clendenin, security upon the bond of John M. Stulty, former trustee of Clear Creek township, Monroe county, Indiana, and to authorize the proper officers to levy a sufficient tax to make up the deficit arising from said trustee's defalcation, and for other matters connected therewith."

Also, Engrossed Senate Bill No. 75, an act to establish City Courts in cities having a population of over 6,000 inhabitants.

Also, Engrossed Senate Bill No. 305, entitled "An act to legalize the official acts of the Board of Trustees of the town of Bainbridge, in Putnam county, etc:

Also, Engrossed Senate Bill No. 308, entitled "An act to amend section 55 of an act entitled 'An act to provide for a general system of common schools, the officers thereof, and their respective powers and duties, and matters properly connected therewith,' " etc.

Also, Engrossed Senate Bill No. 199, entitled "An act to amend section two of an act entitled 'An act to amend the second, sixth and seventh sections of an act entitled 'An act concerning the organization of voluntary associations.' "

Also, Engrossed Senate Bill No. 218, entitled "An act fixing the

number of trustees of the Purdue University, prescribing the manner of their appointment, providing for the organization of said Board and repealing all laws in conflict with the provisions of this act.

Also, Engrossed Senate Bill No. 178, entitled "An act requiring the officers of certain corporations therein named to make out and publish annual statements and providing penalties for the violation thereof.

Also, Engrossed Senate Bill No. 246, entitled "An act to amend sections 36 and 58 of an act entitled 'An act granting to the citizens of the town of Evansville, in the county of Vanderburgh, a city charter,' " approved June 27, 1847, and adding a supplementary section thereto abolishing the office of City Collector of said city, etc.

Also, Engrossed Senate Bill No. 293, entitled "An act to enable the incorporated cities and towns of the State of Indiana to adopt and enforce by-laws for the purpose of securing the removal of slops, garbage and dead animals, and other waste matter from their corporate limits.

Also, Engrossed Senate Bill No. 105, entitled "An act requiring county auditors to publish a statement of all allowances made by the county commissioners."

And said bills are herewith returned to the Senate.

I am further directed by the House to inform the Senate that the House has passed Engrossed Senate Bill No. 144, an act supplemental to an act authorizing circuit courts to change the names of persons and corporations, with the following engrossed House amendments thereto.

In which amendments the Senate is respectfully requested to concur.

Also, that the House has concurred in Senate amendments to House Bills No. 67 and 89.

By consent, Mr. Sleeth introduced, (in place of bill lost,)

Senate Bill No. 363. A bill for an act to amend section 3 of an act entitled "An act regulating foreign insurance companies doing business in this State, prescribing the duties of the agents thereof," etc.

Was read a first time.

Mr. Sleeth moved to suspend the constitutional rule requiring bills to be read on three several days, that the bill may be read a second time by title, considered engrossed, and read a third time, now.

The ayes and noes being taken under the rule,

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bearss, Boone, Bunyan, Cardwell, Cree, Daggy, Friedley of Lawrence, Friedley of Scott, Givan, Gooding, Hackleman, Haworth, Henderson, Hough, Howard, Humphries, Johnston of Parke, LaRue, Major, Maxwell, Neff, Oliver, Rhodes, Roe, Scott, Slater, Sleeth, Smith, Tobin, Underwood and Wilson—33.

Those who voted in the negative were,

Messrs. Bell, Culbertson, Davidson, Grove, Hendricks, Johnson of Floyd, Peed, Sarnighausen, Skinner and Winterbotham—10.

There not being two-thirds voting in the affirmative, the constitutional rule was not suspended.

On motion by Mr. Johnston of Parke a call of the Senate was ordered.

Those who answered to their names were,

Messrs. Baxter, Bearss, Bell, Boone, Bunyan, Cardwell, Chapman, Cree, Culbertson, Daggy, Davidson, Friedley of Lawrence, Friedley of Scott, Givan, Gooding, Grove, Hackleman, Haworth, Henderson, Hendricks, Hough, Howard, Humphries, Johnson of Floyd, Johnston of Parke, LaRue, Major, Maxwell, Neff, Oliver, Peed, Rhodes, Roe, Sarnighausen, Scott, Skinner, Slater, Sleeth, Smith, Stockslager, Tobin, Underwood, Wilson and Winterbotham—44.

On motion by Mr. LaRue the further call was dispensed with.

Mr. Sleeth moved that the constitutional rule requiring bill to be read on three several days be suspended that Senate Bill No. 363 may be read a second time by title, considered engrossed, and read a third time by sections now.

The ayes and noes being taken under the rule,

Those voting in the affirmative were,

Messrs. Baxter, Beardsley, Bearss, Boone, Bunyan, Cardwell, Chapman, Cree, Daggy, Friedley of Lawrence, Friedley of Scott, Givan, Gooding, Hackleman, Harney, Haworth, Hough, Howard, Humphries, Johnston of Parke, LaRue, Major, Neff, Oliver, Rhodes, Roe, Scott, Sleeth, Smith, Stockslager, Tobin, Underwood and Wilson—33.

Those who voted in the negative were,

Messrs. Bell, Bowman, Culbertson, Davidson, Dykeman, Grove, Henderson, Hendricks, Johnston of Floyd, Maxwell, Peed, Ringo, Sarnighausen, Skinner, Slater and Winterbotham—16.

So the constitutional rule was not suspended.

Message from the Governor by his private Secretary.

MR. PRESIDENT:

By direction of the Governor I have the honor to transmit his communication nominating a person as a Commissioner of the House of Refuge for juvenile offenders, and a person as a Manager of the Indiana Reformatory Institution for Women and Girls and asking that the Senate will advise and consent to their appointment.

EXECUTIVE DEPARTMENT,

INDIANAPOLIS, March 6, 1875.

Gentlemen of the Senate:

I nominate John P. Early, of LaPorte county, as a Commissioner

of the House of Refuge for juvenile offenders to succeed Amos S. Evans, to serve as such for the term of four years from the first day of March, 1875, and I respectfully ask that the Senate will advise and consent to his appointment by me.

THOMAS A. HENDRICKS,
Governor.

EXECUTIVE DEPARTMENT,
INDIANAPOLIS, March 6, 1875.

Gentlemen of the Senate :

I nominate John A. Finch, of Marion county, as a Manager of the Indiana Reformatory Institution for Women and Girls, to succeed Joseph I. Irvin, to serve as such for the residue of the term, namely, until May 1, 1877, and I respectfully ask that the Senate will advise and consent to his appointment by me.

THOMAS A. HENDRICKS,
Governor.

Mr. Friedley of Lawrence moved a call of the Senate.

Those answering to their names were,

Messrs. Baxter, Beardsley, Bearss, Bell, Boone, Bowman, Bunnan, Cardwell, Chapman, Cree, Culbertson, Daggy, Davidson, Dykeman, Friedley of Lawrence, Friedley of Scott, Givan, Gooding, Grove, Hackleman, Harney, Haworth, Henderson, Hendricks, Hough, Howard, Humphries, Johnston of Parke, LaRue, Major, Maxwell, Neff, Oliver, Peed, Rhodes, Ringo, Roe, Sarnighausen, Scott, Slater, Skinner, Sleeth, Smith, Stockslager, Tobin, Underwood and Winterbotham—48.

The further call was dispensed with.

Engrossed House Bill No. 310. A bill to legalize bonds and other obligations issued by cities in aid of the construction of court houses within their limits.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bearss, Bell, Boone, Bowman, Bunyan, Cardwell, Chapman, Cree, Culbertson, Daggy, Davidson, Friedley of Lawrence, Friedley of Scott, Givan, Gooding, Grove, Hackleman, Harney, Haworth, Henderson, Hendricks, Hough, Howard, Humphries, Johnston of Parke, LaRue, Maxwell, Neff, Peed, Rhodes, Ringo, Sarnighausen, Scott, Skinner, Sleeth, Smith, Stockslager, Tobin, Underwood, Wilson and Winterbotham—42.

Senator Slater voting in the negative.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Ordered, that the Secretary inform the House of the passage of the bill.

Mr. Friedley of Lawrence moved that the constitutional rule requiring bills to be read on three several days be suspended that Senate Bill No. 363 may be read a second time by title, considered engrossed, and read a third time by sections.

Mr. Chapman moved the previous question.

The question being, will the Senate second the previous question?

Messrs. Peed and Bell demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bearss, Boone, Bunyan, Cardwell, Chapman, Cree, Daggy, Friedley of Lawrence, Friedley of Scott, Givan, Hackleman, Harney, Haworth, Hough, Howard, Johnston of Parke, LaRue, Major, Neff, Oliver, Rhodes, Roe, Scott, Sleeth, Tobin, Underwood and Wilson—30.

Those who voted in the negative were,

Messrs. Bell, Bowman, Culbertson, Dykeman, Grove, Henderson, Hendricks, Humphries, Johnston of Floyd, Maxwell, Peed, Ringo, Sarnighausen, Skinner, Stockslager and Winterbotham—16.

So the previous question was seconded.

The question being on suspending the constitutional rule,

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bearss, Boone, Bunyan, Cardwell, Chapman, Cree, Daggy, Friedley of Lawrence, Friedley of Scott, Givan, Gooding, Hackleman, Harney, Haworth, Hough, Howard, Johnston of Parke, LaRue, Major, Neff, Oliver, Rhodes, Ringo, Roe, Scott, Sleeth, Smith, Tobin, Underwood and Wilson—32.

Those who voted in the negative were,

Messrs. Bell, Bowman, Culbertson, Davidson, Grove, Henderson, Hendricks, Humphries, Johnston of Parke, Maxwell, Peed, Sarnighausen, Skinner, Slater, Stockslager, Winterbotham and Dykeman—17.

So the constitutional rule was not suspended.

Mr. Harney moved to suspend the order of business and take up House Bill No. 489, the general appropriation bill.

Messrs. Friedley of Lawrence and LaRue demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Bell, Boone, Bowman, Cree, Daggy, Davidson, Givan, Grove, Hackleman, Harney, Hendricks, Johnson of Floyd, Maxwell, Peed, Ringo, Sarnighausen, Skinner, Slater, Smith, Stockslager, Wilson and Winterbotham—22.

Those who voted in the negative were,

Messrs. Baxter, Bearss, Bunyan, Cardwell, Chapman, Friedley of Lawrence, Friedley of Scott, Gooding, Haworth, Hough, Howard, Johnston of Parke, LaRue, Major, Neff, Oliver, Rhodes, Roe, Scott, Sleeth, Tobin, Underwood and Mr. President—23.

So the motion was not agreed to.

Mr. Sleeth moved to suspend the constitutional rule requiring bills to be read on three several days, that Senate Bill No. 363 may be read a second time by title and a third time by sections.

Mr. Bell moved that the motion do lie on the table.

Messrs. Bell and Sleeth demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Bell, Bowman, Dykeman, Henderson, Hendricks, Humphries, Johnson of Floyd, Maxwell, Peed, Sarnighausen, Skinner, Stockslager and Winterbotham—13.

Those who voted in the negative were,

Messrs. Baxter, Beardsley, Bearss, Boone, Bunyan, Cardwell, Chapman, Cree, Culbertson, Daggy, Friedley of Lawrence, Friedley of Scott, Givan, Gooding, Hackleman, Harney, Haworth, Hough, Howard, Johnston of Parke, LaRue, Major, Neff, Oliver, Peed, Rhodes, Ringo, Roe, Scott, Slater, Sleeth, Smith, Tobin, Underwood and Wilson—34.

So the motion was not agreed to.

The question being on suspending the constitutional rule,

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bearss, Boone, Bunyan, Cardwell, Chapman, Cree, Daggy, Friedley of Lawrence, Friedley of Scott,

Givan, Gooding, Hackleman, Haworth, Hough, Howard, Johnston of Parke, LaRue, Major, Neff, Oliver, Rhodes, Ringo, Roe, Scott, Sleeth, Smith, Tobin, Underwood and Wilson—31.

Those who voted in the negative were,

Messrs. Bell, Bowman, Culbertson, Davidson, Dykeman, Grove, Harney, Henderson, Hendricks, Humphries, Johnson of Floyd, Maxwell, Peed, Sarnighausen, Skinner, Slater, Stookslager, and Winterbotham—17.

So the constitutional rule was not suspended.

Mr. Boone, from the Joint Committee on Titles, reported that the committee, not having time to make the examination to the title on Engrossed House Bill No. 44, return the same without recommendation.

Mr. Johnston of Parke moved to take up House Bill No. 277, a bill concerning promisory notes, bills of exchange, etc., which was agreed to and the bill read a third time.

By consent, Mr. Johnston of Parke offered the following amendment:

Amend the title by striking out after the word "notes" in third line, and insert the following: "bills of exchange, bonds, or other instruments in writing, signed by any person who promises to pay money, or to be due for the delivery of any specified sum, or to convey property, or to perform any stipulation therein mentioned, and repealing all laws coming in conflict therewith, approved March 11, 1861.

To amend the section by striking out all after the word "notes" in line 12, between and inclusive of the words "May 12, 1852" in line 14, and insert in lieu thereof "Bills of Exchange, bonds, or other instrument in writing, signed by any person who promises to pay money, or acknowledges money to be due, or for the delivery of any specific article, or to convey property, or to perform any stipulation therein mentioned, and repealing all laws coming in conflict therewith," approved March 11, 1861.

Which was agreed to.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Beardsley, Boone, Bowman, Bunyan, Cardwell, Chapman, Culbertson, Daggy, Davidson, Friedley of Lawrence, Friedley of Scott, Givan, Grove, Hackleman, Harney, Haworth, Henderson, Hendricks, Hough, Howard, Humphries, Johnson of Floyd, Johnston of Parke, LaRue, Major, Maxwell, Neff, Oliver, Peed, Rhodes, Ringo, Roe, Scott, Slater, Sleeth, Smith, Stockslager, Tobin, Underwood, Wilson and Winterbotham—41.

Those who voted in the negative were,

Messrs. Baxter, Bell and Sarnighausen—3.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was by consent referred to the Committee on Titles.

Message from the House by Mr. Holmes, Clerk thereof.

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed the following Engrossed Senate Bill, viz. :

Engrossed Senate Bill No. 112, entitled "An act to create the Forty-first Judicial Circuit, to amend sections 34 and 35 of an act entitled 'An act to divide the State into circuits for judicial purposes, etc.'"

Also, Engrossed Senate Bill No. 252, entitled "An act to establish a Superior Court in the county of Tippecanoe, defining its jurisdiction, providing for the election and compensation of the Judge thereof, and to abolish the Criminal Court of said county," etc.

Also, Engrossed Senate Bill No. 258, entitled "An act what shall, in certain cases, be the state of the assessment of taxes upon the real estate in cities and incorporations, and prescribing the

duties of common councils and trustees of incorporated towns in relation thereto, prescribing the duties of county auditors in certain cases."

Also, Senate Bill No. 296. An act to legalize the elections held in the years 1872, 1873 and 1874, in the town of Knightstown, Henry county, Indiana, etc.

Also, Senate Bill No. 259. An act in regard to the conveyance of the public grounds and buildings upon the re-location of the county seats.

And said bills are herewith returned to the Senate.

On motion by Mr. Scott, Engrossed House Bill No. 368, an act providing for the incorporation of State, district and county horticultural associations, describing their powers, duties, etc., was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bearss, Bell, Bowman, Cardwell, Chapman, Cree, Culbertson, Daggy, Davidson, Dykeman, Friedley of Lawrence, Friedley of Scott, Givan, Gooding, Grove, Hackleman, Harney, Haworth, Henderson, Hendricks, Hough, Howard, Humphries, Johnson of Floyd, Johnston of Parke, LaRue, Major, Maxwell, Neff, Oliver, Peed, Ringo, Roe, Sarnighausen, Scott, Skinner, Smith, Stockslager, Tobin, Underwood and Wilson—44.

No Senator voting in the negative.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Ordered, that the Secretary inform the House of the passage of the bill.

By Mr. Boone the following report :

MR. PRESIDENT :

The Committee on Titles, to whom was referred Senate Bill No. 15, with the amendments of the House of Representatives thereto, with the amendments to the same concurred in by the Senate, have had the same under consideration, and recommend the adoption of the following as the title to the bill :

A bill to regulate and license the sale of spiritous, vinous, malt and other liquors, and providing for remonstrance thereto, declaring intoxication a misdemeanor, to provide for damages in certain cases, to limit the license fee for cities and towns, to repeal all former laws regulating the sale of intoxicating liquors, and all laws and parts of laws in conflict with the provisions of this act, with exceptions therein specified, defining penalties, prescribing punishment for the violation of the provisions of this act and declaring an emergency.

Which was concurred in.

The question being shall the title as read stand as the title of the bill?

It was so ordered.

Ordered, that the Secretary inform the House of the passage of the bill.

Message from the Governor, by his private Secretary.

EXECUTIVE DEPARTMENT,

INDIANAPOLIS, March 6, 1875.

Gentlemen of the Senate :

The Governor is frequently applied to by local authorities to aid in the detection of crimes and the arrest of criminals by the offer of rewards and otherwise. No provisions for such services is made in

the usual appropriations. I recommend that the pending appropriation bill be so amended as to increase the Governor's contingent funds for that purpose.

Mr. Friedley of Lawrence moved that it be referred to the Committee on Finance.

Mr. Chapman moved that it do lie on the table.

Which was agreed to.

Mr. Peed called up his motion to reconsider the vote whereby Engrossed Senate Bill No. 220 was indefinitely postponed.

The question being on reconsidering the vote, it was not agreed to.

On motion by Mr. Daggy, House Bills on their third reading were taken up.

House Bill No. 321. A bill defining the duties of County and Township Assessors and County and State Boards of Equalization in certain cases, etc.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley Bearss, Bell, Chapman, Culbertson, Davidson, Dykeman, Friedley of Scott, Grove, Harney, Hendricks, Howard, Johnson of Floyd, LaRue, Oliver, Peed, Roe, Sarnighausen, Scott, Skinner, Stockslager, Underwood, Wilson and Winterbotham—26.

Those who voted in the negative were,

Messrs. Boone, Bowman, Bunyan, Cardwell, Cree, Daggy, Friedley of Lawrence, Glivan, Hackleman, Haworth, Hough, Humphries, Johnston of Parke, Major, Maxwell, Neff, Oliver, Rhodes, Ringo, Slater, Smith and Tobin—22.

So the bill passed.

The question being, shall the title as read stand as the title of the bill.

It was so ordered.

Ordered that the Secretary inform the House of the passage of the bill.

Mr. Gooding moved to suspend the constitutional rule requiring bills to be read on three several days, and that Engrossed House Bill No. 445 be taken up, read a first and second time by title and a third time by sections now.

The ayes and noes being taken under the rule,

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bearss, Bell, Boone, Bowman, Bunyan, Cardwell, Chapman, Cree, Dykeman, Friedley of Lawrence, Friedley of Scott, Gooding, Grove, Hackleman, Harney, Haworth, Henderson, Howard, Humphries, LaRue, Major, Maxwell, Oliver, Rhodes, Ringo, Roe, Sarnighausen, Scott, Skinner, Slater, Sleeth, Smith, Tobin, and Wilson--36.

Those who voted in the negative were,

Messrs. Culbertson, Daggy, Givan, Hendricks, Johnson of Floyd, Johnston of Parke, Peed, Stockslager, Underwood and Winterbotham--10.

So the constitutional rule was suspended, and Engrossed House Bill No. 445, a bill for the protection of passengers on railroads was read a first time by sections and second time by title.

Mr. Slater offered the following amendment:

Amend section two by striking out the following "be guilty of a disorderly conduct."

Which was agreed to.

The bill was then read a third time,

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Beardsley, Bearss, Bell, Bunyan, Cardwell, Chapman, Culbertson, Daggy, Dykeman, Friedley of Lawrence, Friedley of Scott, Gooding, Hackleman, Harney, Haworth, Henderson, Hendricks, Hough, Humphries, Johnson of Floyd, Johnston of Parke, LaRue, Major, Maxwell, Neff, Oliver, Rhodes, Roe, Sarnighausen, Scott, Skinner, Sleeth, Smith, Tobin, Underwood, and Wilson—37.

Those voting in the negative were,

Messrs. Boone, Bowman, Cree, Davidson, Givan, Grove, Howard, Ringo, Slater, Stockslager and Winterbotham—11.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Ordered, that the Secretary inform the House of the passage of the bill.

Message from the House by Mr. Holmes, Clerk thereof:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed Engrossed Senate Bill No. 288, entitled "An act legalizing the assessment, equalization, levy and collection of municipal taxes for the years 1873 and 1874," etc.

Also, Senate Bill No. 196, entitled "An act to legalize the election of the Board of Trustees and all the other officers of the town of Bloomington, Monroe county, Indiana, for the years 1873 and 1874, and to legalize all of their official acts," etc.

And the same are hereby returned to the Senate.

Also, I am directed by the House to inform the Senate that the House has under consideration the message of the Senate, and the

amendments to Senate Bill No. 318, transmitted therewith, and the following amendments have been made by the House to said bill, to-wit :

Strike out all after the enacting clause in section 1, and inserting in lieu thereof the accompanying engrossed amendments.

The same is herewith transmitted to the Senate.

The message of the House referring to Senate Bill No. 318 was taken up.

Mr. Rhodes moved that the Senate adhere to its amendments.

Which was agreed to.

Ordered, that the Secretary inform the House of the action of the Senate.

On motion by Mr. Beardsley the Senate took a recess until 2 o'clock p. m.

AFTERNOON SESSION.

Senate re-assembled, President in the chair.

By consent, Mr. Rhodes offered the following resolution :

WHEREAS, A message from the House this forenoon, by mistake or otherwise, reported to the Senate the bill on fees and salaries, No. 318, when said bill was not in their possession, but was at the time pending in the Senate ; therefore,

Resolved, That said message, with the accompanying bills and amendments be immediately returned to the House for their action.

Which was adopted.

Report by Mr. Gooding.

MR. PRESIDENT :

Your Committee on Rights and Privileges, to whom was referred Senate Bill No. 354, entitled, "An act to empower the board of trustees of incorporated towns, to pass and enforce ordinances, to regulate and prohibit the running at large of animals, and to provide for the impounding, keeping and redemption thereof in certain cases," have had the same under consideration, and recommend that the same do pass.

Was placed on the calendar.

Engrossed House Bill No. 118, a bill to amend sections 33, 37 and 43, supplemental section 6 of an act entitled, an act to provide for a general system of common schools, the officers thereof and their respective powers and duties, etc., was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Bell, Boone, Bowman, Bunyan, Cardwell, Chapman, Culbertson, Daggy, Davidson, Dykeman, Friedley of Lawrence, Givan, Grove, Harney, Haworth, Henderson, Hendricks, Humphries, Maxwell, Neff, Oliver, Peed, Rhodes, Ringo, Roe, Skinner, Slater, Sleeth, Smith, Stockslager, Tobin, Underwood, Wilson and Winterbotham—34.

Those who voted in the negative were,

Messrs. Baxter, Beardsley, Friedley of Scott, Gooding, Hough, Howard, LaRue, Sarnighausen and Scott—9.

So the bill passed.

The question being, shall the title as read stand as the title of the bill ?

It was so ordered.

Ordered that the Secretary inform the House of the passage of the bill.

On motion by Mr. Chapman House Bill No. 489, the general appropriation bill, was taken up, and pending the reading Mr. Friedley of Lawrence moved to refer the bill back to the Committee on Finance with instructions to strike out all that portion referring to the salary of the Auditor of State.

Mr. Peed moved that the motion do lie on the table.

Messrs. Stockelager and Peed demanded the ayes and noes.

Those voting in the affirmative were,

Messrs. Bell, Boone, Bowman, Culbertson, Davidson, Dykeman, Givan, Grove, Harney, Henderson, Hendricks, Johnson of Floyd, Maxwell, Peed, Ringo, Sarnighausen, Skinner, Slater, Sleeth, Stockslager, Wilson and Winterbotham—22.

Those who voted in the negative were,

Messrs. Baxter, Beardsley, Bearss, Bunyan, Cardwell, Chapman, Cree, Friedley of Lawrence, Friedley of Scott, Gooding, Hackleman, Haworth, Hough, Howard, Johnston of Parke, LaRue, Major, Neff, Oliver, Rhodes, Roe, Scott, Tobin and Winterbotham—24.

So the motion was not agreed to.

The question recurring on the motion of Mr. Friedley of Lawrence.

Messrs. Bell and Peed demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Baxter, Bearss, Bunyan, Cardwell, Chapman, Daggy, Friedley of Lawrence, Friedley of Scott, Gooding, Hackleman, Haworth, Hough, Howard, Johnston of Parke, LaRue, Major, Neff, Oliver, Rhodes, Roe, Scott, Tobin and Underwood—23.

Those who voted in the negative were,

Messrs. Bell, [Boone, Bowman, Cree, Culbertson, Davidson,

Dykeman, Givan, Grove, Harney, Henderson, Hendricks, Humphries, Johnson of Floyd, Maxwell, Peed, Ringo, Sarnighausen, Skinner, Slater, Sleeth, Stockslager, Wilson and Winterbotham—24.

So the motion was not agreed to.

By consent, Mr. Friedley of Lawrence moved to make the civil contingent fund, in the hands of the Governor, three thousand dollars for the first year.

Which was agreed to.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Beardsley, Bearss, Bell, Boone, Bowman, Bunyan, Cardwell, Chapman, Culbertson, Daggy, Davidson, Dykeman, Friedley of Scott, Givan, Gooding, Grove, Hackleman, Harney, Haworth, Henderson, Hendricks, Hough, Howard, Humphries, Johnson of Floyd, Johnston of Parke, LaRue, Major, Maxwell, Neff, Oliver, Peed, Rhodes, Ringo, Roe, Sarnighausen, Scott, Skinner, Slater, Sleeth, Smith, Stockslager, Tobin, Underwood, Wilson and Winterbotham—46.

No Senator voting in the negative.

So the bill passed

The question being, shall the title as read stand as the title of the bill?

The bill was referred to the Committee on Titles.

Message from the House by Mr. Holmes, Clerk thereof:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has refused to concur in the engrossed Senate amendments to the engrossed House amendments to Senate Bill No. 318, and that they have amended said Senate amendments as follows:

By striking out all after the enacting clause in section 1, and

inserting in lieu thereof the following engrossed amendments, to-wit, being a copy of Engrossed House Bill No. 453.

And the same is herewith transmitted to the Senate.

Report by Mr. Chapman :

MR. PRESIDENT :

Your Committee on Finance, to whom was referred Engrossed House Bill No. 492, entitled "An act to raise revenue for State and school purposes, and one additional Hospital for Insane for the years 1875 and 1876," have given such bill careful consideration and have directed me to return the same back to the Senate with the following amendments, to-wit :

Amend the second section by inserting after the word "one," in the fifth line, the words "or more," and by striking out the word "hospital," in line six, and inserting in lieu thereof the word "hospitals," and when so amended your committee recommend that the bill do pass.

Mr. Sleeth offered the following amendment :

Amend as follows : Insert as section four the following :

Sec. 4. No officer, or other person having in charge the management or control of any portion of the funds of the State, raised either for general or special purposes, shall divert or permit such fund or any portion thereof to be diverted or used for any other purpose than that for which the same was raised by special levy, without special authority of law, and any person violating any of the provisions of this section shall be deemed guilty of a felony, and upon conviction thereof before any court of competent jurisdiction, shall be fined in any sum not less than one thousand dollars, nor more than ten thousand dollars, and shall be imprisoned in the State Prison for any period not less than one year.

Mr. Harney moved that the amendment do lie on the table.

Messrs. Johnston of Parke and Sleeth demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Bell, Boone, Bowman, Cree, Culbertson, Davidson, Dykeman, Givan, Grove, Harney, Henderson, Humphries, Johnson of Floyd, Maxwell, Peed, Ringo, Sarnighausen, Skinner, Slater, Stockslager, Wilson and Winterbotham—22.

Those who voted in the negative were,

Messrs. Baxter, Beardsley, Bearss, Bunyan, Cardwell, Chapman, Daggy, Friedley of Lawrence, Friedley of Scott, Gooding, Hackleman, Haworth, Hendricks, Hough, Howard, Johnston of Parke, LaRue, Major, Neff, Oliver, Rhodes, Roe, Scott, Sleeth, Tobin and Underwood—26.

So the motion was not agreed to.

The question recurring on the amendment of Mr. Sleeth,

Messrs. Peed and Winterbotham demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bearss, Boone, Bunyan, Cardwell, Chapman, Daggy, Friedley of Lawrence, Friedley of Scott, Givan, Gooding, Grove, Hackleman, Haworth, Hough, Howard, Johnston of Parke, LaRue, Major, Maxwell, Neff, Oliver, Roe, Scott, Sleeth, Smith, Tobin and Underwood—29.

Those who voted in the negative, were

Messrs. Bell, Bowman, Cree, Culbertson, Dykeman, Harney, Henderson, Hendricks, Johnson of Floyd, Peed, Ringo, Sarnighausen, Skinner, Stockslager, Wilson, and Winterbotham—16.

So the amendment was agreed to.

The question being on concurring in the report of the committee as amended,

Messrs. Peed and Slater demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bearss, Boone, Bunyan, Cardwell, Chapman, Daggy, Dykeman, Friedley of Lawrence, Friedley of Scott, Givan, Grove, Hackleman, Haworth, Henderson, Hough, Howard, Humphries, Johnson of Floyd, Johnston of Parke, LaRue, Major, Maxwell, Neff, Oliver, Peed, Scott, Sleeth, Tobin, Underwood and Wilson—33.

Those who voted in the negative were,

Messrs. Bowman, Cree, Culbertson, Harney, Peed, Ringo, Sarnighausen, Skinner, Slater, Smith, Stockslager and Winterbotham—12.

So the report was concurred in.

Message from the House by Mr. Holmes, Clerk thereof:

MR. PRESIDENT :

I am directed by the Speaker of the House to inform the Senate that the House has concurred in the following amendment of the Senate to engrossed amendment of the House to Senate Bill No. 15, to-wit :

Sec. 10½. Any person of sane mind found in any public place in a state of intoxication, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not less than one dollar, nor more than five dollars, for each offense.

Also, that the House refuses to concur in the several other amendments of the Senate to the House amendments to Senate Bill No. 15.

And said amendments are herewith returned to the Senate.

Report by Mr. Slater from the Committee on Public Buildings :

MR. PRESIDENT :

Your Committee on Public Buildings would make this the final report. The large and increasing number of public buildings

of the State which have to be erected and maintained at the expense of the tax payers, calls for system and vigilance in the appropriation of money for such purpose. If appropriations are to be made on the recommendation of the managers of each institution without regard to any common inspection of the needs and costs, the General Assembly can have but little idea of the aggregate cost, or of the relative importance of the calls made; but if every proposition for the erection or extension of a public building is sent to our Committee, then the General Assembly can have exact information on these points. Impressed with this conviction, your Committee asked that all such propositions might be referred to them; a request, however, which was not granted. There is, therefore, pending before you conflicting propositions concerning the erection of one or more insane asylums, concerning the needs and costs of which they have not been allowed to inquire. But to remind you of the importance of this, allow us to point out to you the aggregate of calls on the State Treasury for building purposes made to this body.

A State House.....	\$2,000,000
Two Insane Asylums, each.....	500,000
State University.....	10,000
State Normal School.....	81,000
Purdue University.....	80,000
Northern Prison.....	110,000
Female Prison.....	50,000
House of Refuge.....	1,500
Blind Asylum.....	76,000
Deaf and Dumb	3,000
Soldiers' Orphans' Home.....	5,000
Making an aggregate of.....	<hr/> \$3,386,500

All the allowances may be just and necessary, but no argument is required to show that they can not all be granted, and that a just discrimination can be made only by passing through the hands of our committee. All these calls for money for building which have passed into our hands, have been fairly considered, severely pruned, and only such recommendations made as the public interest seemed to us to require. In order to discriminate fairly your committee as a body or by individual members have visited each of the public institutions asking aid, or on which money has been spent for

building for the past two years. This has involved extra labor on their part as well as the expenses incidental to travel. Your committee are of the opinion that they should be allowed a reasonable sum to reimburse these expenses which have been incurred in the public service, and that ten dollars for each trip would be a reasonable fee allowed, and they append hereto a detailed statement of the trips of each member, taking no account of the visits to the institutions at the capital.

LIST OF TRIPS OF EACH MEMBER OF COMMITTEE.

Oliver, five trips, to Prison South, Prison North, Normal School, Purdue University and House of Refuge.

Slater, two trips, to Prison North and South.

Hopkins, three trips, to Prisons North and South, and House of Refuge.

Gilbert, one trip, to Prison South.

Which was concurred in.

Mr. Humphries moved that the Senate go into Committee of the Whole Senate for the consideration of Engrossed House Bill No. 492, a bill to raise revenue for State purposes, etc.

Which was agreed to, and the Senate went into Committee of the Whole Senate, Mr. Humphries in the chair. The committee arose and through their chairman made the following report:

MR. PRESIDENT:

Your Committee of the Whole Senate on House Bill No. 492 have had the same under consideration and direct me to report progress.

On motion by Mr. Slater the Senate went into Committee of the Whole Senate for the further consideration of House Bill No. 492, with Mr. Humphries in the chair.

The committee arose and through their chairman made the following report :

MR. PRESIDENT:

Your Committee of the Whole Senate on House Bill No. 492, have had the same under consideration, and recommend its passage as amended.

Which was concurred in.

Mr. Humphries moved to suspend the constitutional rule requiring bills to be read on three several days that House Bill No. 492 be read a second time by title and a third time by sections.

The ayes and noes being taken under the rule,

Those voting in the affirmative were,

Messrs. Baxter, Beardsley, Bearss, Bell, Boone, Bowman, Bunyan, Cardwell, Chapman, Daggy, Davidson, Dykeman, Friedley of Scott, Givan, Gooding, Grove, Hackleman, Harney, Haworth, Henderson, Hendricks, Hough, Howard, Humphries, Johnson of Floyd, Johnston of Parke, LaRue, Major, Maxwell, Neff, Oliver, Peed, Rhodes, Ringo, Roe, Sarnighausen, Scott, Skinner, Slater, Sleeth, Smith, Stockslager, Tobin, Underwood, Wilson and Winterbotham—46.

No Senator voting in the negative.

So the constitutional rule was suspended, and Engrossed House Bill No. 492, a bill to raise revenue for State purposes, etc, was read a second time by title, the amendments considered engrossed and concurred in.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bearss, Boone, Bowman, Bunyan, Cardwell Chapman Cree, Daggy, Davidson, Dykeman, Friedley

of Lawrence, Friedley of Scott, Givan, Gooding, Grove, Hackleman, Haworth, Henderson. Hendricks, Hough, Humphries, Johnson of Floyd, Johnston of Parke, LaRue Major, Maxwell, Neff, Oliver, Peed, Rhodes, Roe, Sarnighausen, Scott, Skinner, Sleeth, Smith, Stockslager, Tobin, Underwood and Wilson—42.

Those who voted in the negative were,

Messrs. Harney, Howard, Slater and Winterbotham—4.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was referred to the Committee on Titles.

By consent, report by Mr. Chapman.

MR. PRESIDENT.

Your Committee on Finance, to whom was referred Senate Resolution No. 32, introduced by Mr. Underwood, to allow the regular Committee on Prisons mileage for visiting the State Prison North and South, have directed me to return the same to the Senate with the following amendment, and when so amended recommend its passage.

Strike out all after the word "allowed," in the second line thereof, and insert the following, "actual expenses incurred in visiting and inspecting the State Prisons North and South," and that each of such members be required to immediately certify in writing to the Finance Committee the items and amount of such actual expenses so that the same can be inserted in the specific appropriation bill.

Resolved, That the regular Committee on State Prisons be allowed the usual mileage for visiting the Northern and Southern Prisons, and that the President of the Senate be directed to draw his warrant for the same.

Which was concurred in.

Message from the House by Mr. Holmes, Clerk thereof.

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed the following Engrossed Senate Bills, to-wit:

Senate Bill No. 361, entitled "An act to legalize the acts of the Board of Trustees of the town of Worthington, in Greene county, in the annexation of certain additions to the said town."

Also, Senate Bill No. 48, entitled "An act to amend section 1 of an act entitled 'an act to provide for a general system of common schools, the officers thereof and their respective powers and duties, and matters connected therewith,'" etc., approved March 6, 1865, and adding supplementary sections thereto, approved March 8, 1873, with Engrossed House amendments.

Also, Engrossed Senate Bill No. 250, entitled "An act providing for the incorporation of State, district, subordinate county and other Grangers of the Order of Patrons of Husbandry, their powers and duties in certain cases, declaring an emergency," and the same are herewith transmitted to the Senate.

Also, that the House refused to concur in the engrossed amendments of the Senate to House Bill No. 389.

And said amendments and House Bill No. 389 are herewith returned to the Senate.

Report by Mr. Rhodes:

MR. PRESIDENT:

Your Committee on Fees and Salaries, to whom was referred Engrossed House Bill No. 288, entitled "An act to amend sections 1 and 2 of an act entitled 'an act fixing the per diem and mileage of members of the General Assembly,'" etc., have had the same under consideration, and have directed me to submit the following report, to-wit:

Amend line 3 section 1 by striking out the word "six," and inserting in lieu thereof the word "four," and by further striking

out of said section all after the word "sickness." In the 7th line of said section. Amend by inserting as section 3 the following :

Sec. 3. It shall be unlawful for any member of the General Assembly to receive or use any railroad pass during the term of his office. In case any member shall receive or use such pass, he shall forfeit and pay into the treasury of the county in which he resides the value of such pass, and any citizen of the county may institute and cause to be prosecuted such suit to final termination, and the court trying the cause, in addition to the value of such pass, shall render judgment for the sum of fifty dollars as a penalty.

Amend by striking out the last section in said act, declaring an emergency.

Amend by inserting the following as section 4 of the bill :

And be it further enacted, That section 3 of an act entitled "An act regulating foreign insurance companies doing business in this State, prescribing the duties of the agents thereof, and of the Auditor of State in connection therewith, and providing penalties for the violation of this act," be and the same is hereby amended to read as follows, viz.:

Section 4. The Auditor of State shall charge and collect for the State of Indiana, the sum of \$5.00 in each case, for the examination of the statement and investigation of evidence of investment, and \$2.00 for each certificate of authority issued under the provisions of this act, to be paid by the agent or agents applying for the same, and the Auditor of State shall on the first Tuesday in April, June, September and December of each year, make to the Treasurer of State, a sworn statement of the number of statements filed in his office, and of the number of certificates issued under the provisions of this act, and of the entire receipts therefor, since his last report, and shall pay over to the Treasurer, to go into the general fund of the State, the entire amount of such receipts less ten per cent. thereon, which he may retain for his services in collecting the same.

An act to amend sections one and two of an act entitled "An act fixing the per diem and mileage of members of the General Assembly, and providing that they shall provide their own stationery,"

approved December 19, 1872, to prohibit the use of railroad passes by members of the General Assembly, and amending section 3 of an act entitled "An act regulating foreign insurance companies doing business in this State, prescribing the duties of the agents thereof, and of the Auditor of State in connection therewith and providing penalties for the violation of this act," approved December 21, 1865, and when so amended the committee recommend the passage of said bill.

Which was concurred in.

Mr. Gooding moved to suspend the constitutional rule requiring the reading of bills on three several days that Engrossed House Bill No. 288, a bill regulating the per diem of members of the General Assembly, etc., may be read a second time by title and a third time by sections now.

Mr. Peed moved to lay the motion on the table.

Messrs. Beardsley and Gooding demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Bell, Boone, Bowman, Cree, Culbertson, Davidson, Dykeman, Hackleman, Harney, Henderson, Hendricks, Howard, Humphries, Johnson of Floyd, LaRue, Major, Peed, Sarnighausen, Slater, Stockslager, Wilson and Winterbotham—22.

Those who voted in the negative were,

Messrs. Baxter, Beardsley, Bearss, Bunyan, Cardwell, Chapman, Davidson, Friedley of Lawrence, Friedley of Scott, Givan, Gooding, Grove, Haworth, Hough, Johnston of Parke, Maxwell, Neff Oliver, Rhodes, Roe, Scott, Skinner, Sleeth, Smith, Tobin and Underwood—26.

So the motion was not agreed to.

The question being on suspending the rule,

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bearss, Bunyan, Cardwell, Chapman, Daggy, Friedley of Scott, Friedley of Lawrence, Gooding, Grove, Hackleman, Haworth, Hough, Howard, Johnston of Parke, Neff, Oliver, Rhodes, Roe, Scott, Sleeth, Smith, Tobin and Underwood—25.

Those who voted in the negative were,

Messrs. Bell, Boone, Bowman, Cree, Culbertson, Davidson, Dykeman, Givan, Harney, Henderson, Hendricks, Johnson of Floyd, LaRue, Major, Maxwell, Peed, Sarnighausen, Slater, Stockslager, Wilson and Winterbotham—21.

So the constitutional rule was not suspended.

Mr. Humphries offered the following resolution:

Resolved by the Senate, the House concurring therein, That a joint committee, to consist of two on the part of the House and two on the part of the Senate be appointed as a committee of free conference on House Bill No. 453 and Senate Bill No. 318.

Which was adopted.

Whereupon the President appointed Messrs. Humphries and Sleeth as said committee on the part of the Senate.

On motion by Mr. Boone, Engrossed House Bill No. 201, a bill to enable the owners of wet lands to drain and reclaim them when the same can not be done without affecting the lands of others, prescribing the powers and duties of County Boards and other officers in the premises, and to provide for the repair of such drains, was read a third time with engrossed Senate amendments.

The question being, shall the bill pass?

Those voting in the affirmative were,

Messrs. Baxter, Beardsley, Bearss, Bell, Boone, Bowman, Bunyan, Cardwell, Chapman, Culbertson, Daggy, Davidson, Dykeman,

Friedley of Scott, Givan, Gooding, Grove, Hackleman, Harney, Haworth, Henderson, Hendricks, Hough, Howard, Humphries, Johnson of Floyd, Maxwell, Neff, Oliver, Peed, Roe, Sleeth, Slater, Smith, Stockslager, Tobin, Underwood and Wilson—38.

Those who voted in the negative were,

Messrs. Friedley of Lawrence, Johnston of Parke and Skinner—3.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Ordered, that the Secretary inform the House of the passage of the bill.

Message from the House by Mr. Holmes, Clerk thereof:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has concurred in all the amendments of the Senate to House Bill No. 484, excepting the amendment striking out the words "sixteen hundred" in sections 5 and 16, and inserting in each of said sections the words "six hundred."

Also, the amendment of the Senate to said bill, striking out sections 44, 45 and 46, and said bill and amendments are herewith returned to the Senate.

On motion by Mr. Oliver, Engrossed House Bill No. 465, a bill authorizing the appointment of a short-hand reporter in certain courts of record in this State, in counties containing a population of 70,000 or more, and prescribing the duties and compensation of such reporters.

Was read a third time.

The question being, shall the bill pass?

S. J.—75

Those who voted in the affirmative were,

Messrs. Baxter, Bell, Boone, Bowman, Bunyan, Cardwell, Chapman, Culbertson, Daggy, Davidson, Dykeman, Friedley of Lawrence, Friedley of Scott, Givan, Gooding, Hackleman, Haworth, Henderson, Hendricks, Hough, Howard, Humphries, Johnson of Floyd, Johnston of Parke, LaRue, Major, Maxwell, Neff, Oliver, Peed, Ringo, Rhodes, Roe, Sarnighausen, Scott, Slater, Sleeth, Stockslager, Tobin, Underwood, Wilson and Winterbotham—42.

Senators Bearss and Harney voting in the negative.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Ordered, that the Secretary inform the House of the passage of the bill.

On motion by Mr Scott, the Senate concurred in House amendments to Senate Bill No. 48.

Ordered, that the Secretary inform the House. ;

Mr Bell moved to take up Senate Bill No. 15, and recede from Senate amendments to the House amendments.

Which was not agreed to

Mr. Gooding moved to take up House Bill No. 409.

Which was not agreed to.

Message from the House by Mr. Holmes, Clerk thereof.

MR. PRESIDENT:

I am directed by the House to inform the Senate, that the House has concurred in the following Senate concurrent resolution:

Resolved by the Senate the House concurring therein, That a joint committee to consist of two on the part of the House, and two on the part of the Senate, be appointed as a committee of conference on House Bill No. 453, and Senate Bill No. 318, and that upon the part of the House as such committee, the following Representatives have been appointed: Messrs. Davis and Ames, and said resolution is herewith returned.

Mr. Slater moved to take up Senate Bill No. 269, the bill providing for additional asylums for the insane.

Which was agreed to.

Mr. Gooding moved that the Senate do adhere to the Senate amendments, and that a committee of conference be asked for.

Mr. Daggy moved that the motion do lie on the table.

Messrs. Gooding and Bell demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Boone, Cardwell, Daggy, Givan, Grove, Harney, Haworth, Hendricks, Hough, Humphries, Johnston of Parke, Maxwell, Neff, Oliver, Ringo, Roe, Slater, Sleeth, Underwood and Wilson—22.

Those who voted in the negative were,

Messrs. Bearss, Bell, Bowman, Bunyan, Chapman, Cree, Culbertson, Davidson, Dykeman, Friedley of Lawrence, Friedley of Scott, Gooding, Henderson, Howard, Johnson of Floyd, LaRue, Major, Peed, Rhodes, Sarnighausen, Scott, Skinner, Smith, Stockslager and Winterbotham—25.

So the motion was not agreed to.

The question recurring on the motion of Mr. Gooding to adhere to the Senate amendments,

Messrs. Rhodes and Givan demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Bearss, Bell, Bowman, Bunyan, Chapman, Davidson, Dykeman, Friedley of Lawrence, Friedley of Scott, Gooding, Henderson, Howard, Johnson of Floyd, LaRue, Major, Peed, Sarnighausen, Scott, Skinner, Smith, Stockslager, Tobin and Underwood—23.

Those who voted in the negative were,

Messrs. Baxter, Beardsley, Boone, Cardwell, Culbertson, Daggy, Givan, Grove, Hackleman, Harney, Haworth, Hendricks, Hough, Humphries, Johnston of Parke, Maxwell, Oliver, Rhodes, Ringo, Roe, Slater, Sleeth, Underwood and Wilson—24.

So the motion was not agreed to.

Message from the House by Mr. Holmes, Clerk thereof.

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed Engrossed Senate Bill No. 101, entitled "An act to authorize the Auditor of State to make a deed to Deloss Root for certain lands therein described."

Also, Senate Bill No. 307, entitled "An act to amend section 49 of an act entitled 'an act to divide the State into circuits for judicial purposes, fixing the times of holding courts therein,' " etc., with the accompanying Engrossed House amendment.

Also, Senate Bill No. 100, entitled "An act in relation to orders issued by cities upon their Treasurer, and providing for the presentation, redemption and order of payment of the same."

Mr. Daggy moved that the Senate do recede from their amendments to the bill.

Messrs. Daggy and Humphries demanded the yeas and nays.

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bearss, Boone, Bowman, Cardwell, Chapman, Cree, Daggy, Davidson, Friedley of Lawrence, Friedley of Scott, Givan, Gooding, Grove, Hackleman, Harney, Haworth, Henderson, Hendricks, Hough, Howard, Humphries, Johnson of Floyd, Johnston of Parke, LaRue, Major, Maxwell, Neff, Oliver, Peed, Rhodes, Roe, Sarnighausen, Scott, Slater, Sleeth, Smith, Stockslager, Tobin, Underwood and Wilson—43.

Those who voted in the negative were,

Messrs. Bell, Bunyan, Dykeman and Winterbotham—4.

So the motion was agreed to.

Ordered, that the Secretary inform the House.

Report by Mr. Cree:

MR. PRESIDENT:

The Committee on Enrolled Bills have delivered enrolled bills to the Governor for his signature, to-wit:

Senate Bills Nos. 337, 151, 288, 199, 124, 77 and 280.

On motion by Mr. Bearss, Engrossed House Bill No. 463, an act authorizing the assessments of lands for plank, macadamized or gravel road purposes, repealing certain laws on that subject, and declaring an emergency, was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Beardsley, Bearss, Bell, Bunyan, Cardwell, Chapman, Cree, Dykeman, Friedley of Scott, Givan, Gooding, Grove, Harney, Henderson, Howard, Johnson of Floyd, LaRue, Major, Neff, Oliver, Peed, Rhodes, Ringo, Sarnighausen, Skinner, Smith, Wilson and Winterbotham—28.

Those who voted in the negative were,

Messrs. Boone, Bowman, Culbertson, Daggy, Hackleman, Haworth, Neff, Johnston of Parke, Maxwell, Roe, Slater, Sleeth, Stockslager and Underwood—14.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was referred to the Joint Committee on Titles.

Mr. Chapman moved that the Senate do adhere to the Senate amendments to House Bill No. 489, the general appropriation bill.

Which was agreed to.

On motion by Mr. Chapman the Senate took a recess until 7:30 o'clock this evening.

EVENING SESSION.

Senate re-assembled, President in the chair.

Mr. Henderson moved to take up Engrossed House Bill No. 339, a bill for the encouragement of manufacturing companies, etc.

Which was agreed to and read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bearss, Bell, Bowman, Bunyan, Cardwell, Chapman, Cree, Culbertson, Daggy, Davidson, Friedley of Lawrence, Friedley of Scott, Gooding, Hackleman, Haworth, Henderson, Hendricks, Hough, Johnson of Floyd, Johnston of Parke, LaRue, Major, Maxwell, Oliver, Rhodes, Ringo,

Roe, Sarnighausen, Scott, Skinner, Slater, Tobin, Underwood and Wilson—36.

Those who voted in the negative were,

Messrs. Givan Grove, Harney, Smith and Stockslager—5.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Ordered, that the Secretary inform the House of the passage of the bill.

On motion by Mr. Friedley of Lawrence, the House amendments to Engrossed Senate Bill No. 370 were concurred in.

Engrossed House Bill No. 294, a bill to simplify, abridge, etc., the pleadings in civil courts, etc.,

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bearss, Bell, Boone, Bowman, Bunyan, Cardwell, Chapman, Cree, Davidson, Friedley of Lawrence, Friedley of Scott, Givan, Gooding Grove Hackleman, Haworth, Henderson, Hendricks, Hough, Johnson of Floyd, Johnston of Parke, LaRue, Major, Neff, Rhodes Ringo, Roe, Sarnighausen, Scott, Skinner, Slater, Smith, Stockslager, Tobin, Wilson and Winterbotham—39.

Those who voted in the negative were,

Messrs. Culbertson, Daggy, Harney and Maxwell—4.

So the bill passed.

The question being shall the title as read stand as the title of the bill?

It was so ordered.

Ordered, that the Secretary inform the House of the passage of the bill.

Report by Mr. Boone.

MR. PRESIDENT:

The Joint Committee on Titles, to whom was referred House Bill No. 463, have had the same under consideration, and have instructed me to report the same back without recommendation, for the reason that the committee have not time to examine the acts referred to in the bill so as to know whether the title or reference are correct or not.

Which was concurred in.

Mr. Boone made the following report:

The Committee on Titles, to whom was referred House Bill No. 492, have had the same under consideration and direct me to report the same back with the following amendments:

Add to the title "defining the duties of officers and prescribing punishment for violating the provisions of this act.

Which was concurred in.

Engrossed House Bill No. 261. A bill to authorize the change of county boundaries and declaring an emergency.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bearss, Bell, Cardwell, Chapman, Culbertson, Daggy, Davidson, Friedley of Lawrence, Friedley of Scott,

Gooding, Hackleman, Harney, Haworth, Henderson, Hendricks, Hough, Johnson of Floyd, Johnston of Parke, Major, Maxwell, Peed, Rhodes, Ringo, Roe, Sarnighausen, Scott, Skinner, Slater, Smith, Tobin, Wilson and Winterbotham—34.

Those who voted in the negative were,

Messrs. Boone, Bunyan, Grove, Howard, LaRue, Neff, Stockslager and Underwood—8.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Ordered, that the Secretary inform the House of the passage of the bill.

Engrossed House Bill No. 247, an act to amend section 2 of an act entitled "An act to amend sections 2 and 24 of an act," etc.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bowman, Bunyan, Cardwell, Chapman, Cree, Daggy, Davidson, Friedley of Lawrence, Friedley of Scott, Grove, Hackleman, Harney, Haworth, Henderson, Hendricks, Hough, Johnson of Floyd, Johnston of Parke, LaRue, Major, Maxwell, Rhodes, Ringo, Sarnighausen, Scott, Tobin, Underwood and Wilson—35.

Those who voted in the negative were,

Messrs. Culbertson, Givan, Neff, Slater, Smith and Winterbotham—6.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Ordered, that the Secretary inform the House of the passage of the bill.

Engrossed House Bill No. 343. A bill to amend section 3 of an act entitled "An act to authorize cities and towns to negotiate and sell bonds to procure means with which to erect and complete unfinished school buildings," etc.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bell, Bowman, Bunyan, Cardwell, Cree, Culbertson, Davidson, Friedley of Scott, Hackleman, Henderson, Hendricks, Hough, Johnson of Floyd, Major, Rhodes, Ringo, Roe, Scott, Tobin, Underwood and Wilson—26.

Those who voted in the negative were,

Messrs. Chapman, Daggy, Friedley of Lawrence, Givan, Grove, Harney, Haworth, Howard, Johnston of Parke, LaRue, Maxwell, Neff, Peed, Slater, Smith, Stockslager and Winterbotham—16.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Ordered, that the Secretary inform the House of the passage of the bill.

Engrossed House Bill No. 183. A bill authorizing incorporated towns to reform and change the boundary lines so as to exclude therefrom suburban lots or tracts of land, declaring an emergency.

Was read a third time.

The question being, shall the bill pass?

On motion by Mr. Johnston of Parke the bill was laid on the table.

Engrossed House Bill No. 409. An act to amend the 17th section of an act approved May 12, 1869, entitled "An act to provide for the organization of savings banks," etc.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Baxter, Bearss, Chapman, Culbertson, Daggy, Friedley of Lawrence, Friedley of Scott, Gooding, Harney, Haworth, Henderson, Hendricks, Hough, Howard, Johnston of Parke, Major, Neff, Oliver, Rhodes, Ringo, Roe, Sarnighausen, Scott, Smith, Underwood and Wilson—26.

Those who voted in the negative were,

Messrs. Bunyan, Cardwell, Givan, Grove, Hackleman, LaRue, Maxwell, Peed, Stockslager, Tobin and Winterbotham—11.

So the bill passed.

The question being, shall the title as read, stand as the title of the bill?

It was so ordered.

Ordered, that the Secretary inform the House of the passage of the bill.

Message from the House by Mr. Holmes, Clerk thereof:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed Engrossed Senate Bill No. 348, entitled "An act to

amend an act entitled 'an act supplemental to an act to authorize aid to the construction of railroads by counties and townships taking stock in and making donations to railroad companies,' etc.

Also, Senate Bill No. 163, entitled "An act to amend section two of an act fixing the times of holding Circuit Courts in the Thirteenth Judicial Circuit," approved March 10, 1873, with the following Engrossed House Amendments, to-wit:

Amendments accompanying the bill.

Also, Senate Bill No. 283, entitled "An act to authorize the board of county commissioners to appoint Justices of the Peace when vacancies may occur in said office." Said bills are herewith returned to the Senate.

Also, that the House refuses to concur in the amendments made by the Senate to House Bill No. 489, wherein the Senate strikes out sections 44, 45 and 46 of said bill, and amends sections 5 and 16 thereof.

Engrossed House Bill No. 414, a bill to provide for the speedy collection of money due to laborers for labor furnished by them for their employers.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Bearss, Cardwell, Dykeman, Grove, Harney, Haworth, Johnson of Floyd, Johnston of Parke, LaRue, Major, Maxwell, Roe, Scott, Skinner, Smith, Tobin, Underwood, Wilson and Winterbotham—19.

Those who voted in the negative were,

Messrs. Baxter, Beardsley, Bell, Boone, Bowman, Cree, Culbertson, Daggy, Davidson, Friedley of Scott, Givan, Hackleman, Hendricks Hough, Howard, Neff, Peed, Ringo and Sarnighausen—20.

So the bill failed to pass

Mr. Harney moved to suspend the order of business, and take up General Appropriation bill No. 489.

Mr. Chapman moved that the motion do lie on the table.

Messrs. Harney and Peed, demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bell Bunyan, Cardwell, Chapman, Daggy, Friedley of Lawrence, Friedley of Scott, Gooding, Hackleman, Haworth, Henderson, Hough, Howard, Johnston of Parke, LaRue, Major, Neff, Oliver, Rhodes, Roe, Scott, Tobin and Underwood—25.

Those who voted in the negative were,

Messrs. Bowman, Cree, Culbertson, Davidson, Givan, Grove, Harney Hendricks, Johnson of Floyd, Maxwell, Peed, Ringo, Sarnighausen, Skinner, Slater, Stockslager, Wilson and Winterbotham—18.

So the motion was agreed to.

Engrossed House Bill No. 165, a bill to amend sections 33 and 35, of an act for the incorporation of towns, defining their powers and providing for the election of officers thereof, and declaring their duties, etc.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bell, Harney, Haworth, Henderson and Hough—7.

Those who voted in the negative were,

Messrs. Bearss, Boone, Bowman, Bunyan, Cardwell, Chapman, Cree, Culbertson, Daggy, Davidson, Friedley of Lawrence, Givan,

Gooding, Hackleman, Hendricks, Howard, Johnson of Floyd, Johnston of Parke, LaRue, Major, Maxwell, Neff, Peed, Rhodes, Ringo, Roe, Scott, Skinner, Slater, Smith, Stockslager, Tobin, Underwood, Wilson and Winterbotham—35.

So the bill failed to pass.

Message from the House by Mr. Holmes, Clerk thereof:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed Engrossed Senate Bill No. 52, entitled "An act to amend the 4th and 9th sections of an act entitled 'an act for the incorporation and continuance of building, loan fund and saving associations,' " etc., and said bill is herewith returned to the Senate.

I am further directed to inform the Senate that the House has passed the following concurrent resolution:

Resolved by the House, the Senate concurring, That a Committee of Conference, consisting of two members of the Senate and two of the House be appointed to confer as to the disagreement of the House and Senate in relation to House Bill No. 489, and that on the part of the House as said committee the following persons have been appointed, viz.: Messrs. Cardwell and Marvin of Boone.

And the Senate is respectfully requested to concur in the action of the House.

Message from the House by Mr. Holmes, Clerk thereof:

MR. PRESIDENT:

I am directed by the Speaker of the House to inform the Senate that the House has passed Engrossed Senate Bill No. 335, entitled "An act to amend section 269 of an act entitled 'an act to provide for a uniform assessment of property, and for the collection and return of taxes thereon,' " approved December 21, 1871.

Also, Senate Bill No. 59, entitled "An act to amend section 9 of

an act entitled 'an act to amend an act entitled an act providing for the election or appointment of supervisors of highways,' " etc.

Also, Senate Bill No. 290, entitled "An act to amend section 17 of an act containing several provisions regarding landlords, tenants," etc.

Also, Senate Bill No. 150, entitled "An act to authorize and empower manual labor schools, organized and incorporated under the laws of this State, to accept and execute indentures of apprenticeship," etc.

Also, Senate Bill No. 83, entitled "An act to provide against intoxication on the part of public officers and providing for the removal of officers therefor."

Also, that the House has concurred in the engrossed amendments of the Senate to Engrossed Senate Bill No. 44.

Also, that the House has concurred in the engrossed amendments of the Senate to House Bill No. 237.

Also, that the House has passed Senate concurrent resolution in relation to the disposition of State House plans.

Mr. Chapman made the following report :

MR. PRESIDENT :

Your Committee on Finance, to whom was referred Engrossed House Bill No. 496, entitled "An act making specific appropriation for the year 1875, have given such bill their most careful consideration, and as a result of their deliberations have directed me to report the same back to the Senate with the following amendments thereto, to-wit :

That the bill be amended by striking out all of section 8.

2. That the bill be amended by striking out all of section 9.

3. That the bill be amended by striking out all of section 13.

4. Amend section 12 by striking out the word "furnished," in line four, and inserting in lieu thereof the word "delivered," and also by adding to said section at the close thereof the following, "and used by the House of Representatives at the present session of this General Assembly, and for all other stationery by them furnished for the use of the General Assembly to this date, except so much thereof as is covered by the allowance to them made in section five of this act."

5. That the bill be amended by striking out all of section 14.

6. That the bill be amended by striking out all of section 16.

7. That the bill be amended by striking out all of section 18.

8. That the bill be amended by striking out all of section 19.

9. That the bill be amended by striking out all of section 22.

10. That the bill be amended by striking out all of section 26.

11. That the bill be amended by striking out all of section 27.

12. That the bill be amended by striking out all of section 28.

13. That the bill be amended by striking out of section 29, the words "fifty dollars," and inserting in lieu thereof the words "twenty-five dollars."

Sec. 14. That the bill be amended by striking out all of section 31.

15. That section 32 be amended by striking out the words "twenty five thousand" and inserting the words "fifteen thousand."

16. That the bill be amended by striking out all of section 33, and that the bill be further amended by adding the accompanying sections, covering specific appropriations heretofore ordered by the Senate, and when so amended your committee recommend that the bill do pass.

The question being on concurring in the report of the committee, to strike out section 8 of the bill, it was agreed to.

The question being on concurring in the report of the committee to strike out section 9,

Messrs. Skinner and Dykeman demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Boone, Bunyan, Cardwell, Chapman, Daggy, Friedley of Lawrence, Friedley of Scott, Gooding, Hackleman, Haworth, Hough, Howard, LaRue, Oliver, Rhodes, Stockslager and Underwood—19.

Those who voted in the negative were,

Messrs. Bearss, Bell, Bowman, Culbertson, Dykeman, Givan, Grove, Harney, Henderson, Hendricks Johnson of Floyd, Major, Maxwell, Neff, Peed, Ringo, Roe, Sarnighausen, Scott, Skinner, Slater, Smith, Tobin, Wilson and Winterbotham—25.

So the motion was not agreed to.

On the amendments to section 12 they were agreed to, and to strike out section 13, it was agreed to.

To strike out section 14, Messrs. Dykeman and Hough demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Bell, Bowman, Bunyan, Chapman, Culbertson, Daggy, Dykeman, Givan, Grove, Harney, Haworth, Henderson, Sarnighausen, Slater, Stockslager and Tobin—16.

Those who voted in the negative were,

Messrs. Baxter, Beardsley, Bearss, Boone, Cardwell, Davidson, Friedley of Lawrence, Friedley of Scott, Hackleman, Hendricks, Hough, Johnson of Floyd, Johnston of Parke, LaRue, Major, Maxwell, Neff, Oliver, Peed, Ringo, Roe, Scott, Skinner, Smith, Underwood, Wilson and Winterbotham—27.

So the section was not stricken out.

To strike out section 16, it was agreed to.

To strike out section 18, Messrs. Dykeman and Cardwell demanded the ayes and noes:

Those who voted in the affirmative were,

Messrs. Beardsley, Bearss, Bell, Bowman, Bunyan, Cardwell, Chapman, Cree, Culbertson, Davidson, Dykeman, Friedley of Lawrence, Gooding, Hackleman, Harney, Haworth, Henderson, Hough, Howard, Rhodes, Sarnighausen, Skinner, Slater, Smith, Stockslager, Tobin and Wilson—28.

Those who voted in the negative were,

Messrs. Baxter, Friedley of Scott, Hendricks, Johnson of Floyd, Johnston of Parke, LaRue, Major, Maxwell, Oliver, Peed, Ringo, Roe, Scott, Underwood and Winterbotham—15.

So the motion was agreed to, and the section was stricken out.

Message from the House by Mr. Holmes, Clerk thereof.

MR. PRESIDENT:

I am directed by the Speaker of the House to inform the Senate that the House refuses to concur in the amendments of the Senate to House Bill No. 492, and the bill and amendments are herewith returned to the Senate.

By consent Engrossed House Bill No. 492, a bill to raise revenue for State and school purposes, and one additional hospital for the insane was taken up, and the Senate adhered to their amendments.

The question being on section 19 of House Bill No. 496, report of the Committee, to strike out the section:

Messrs. Friedley of Lawrence and Hough demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bearss, Bunyan, Cardwell, Chapman, Cree, Culbertson, Daggy, Davidson, Givan, Gooding, Hackleman, Haworth, Hough, Howard, Johnson of Floyd, Johnston of

Parke, LaRue, Major, Maxwell, Oliver, Rhodes, Roe, Slater, Stockslager, Tobin and Underwood—28.

Those who voted in the negative were,

Messrs. Bell, Boone, Bowman, Dykeman, Friedley of Lawrence, Grove, Harney, Henderson, Neff, Sarnighausen, Scott, Skinner, Smith, Wilson and Winterbotham—15.

So the section was stricken out.

Message from the House by Mr. Holmes, Clerk thereof:

MR. PRESIDENT:

I am directed by the Speaker of the House to inform the Senate that the House has passed Engrossed Senate Bill No. 141, entitled "An act authorizing the sale and conveyance of certain lands belonging to the State of Indiana."

Also, Senate Bill No. 192, entitled "An act to provide for the election of a reporter of the Supreme Court, the speedy publication of the decisions of such court, and for the compensation of such reporter."

Also, Senate Bill No. 55, entitled "An act to amend section 16 of an act entitled 'an act concerning real property, and the alienation thereof.'"

Also, Senate Bill No. 241, entitled "An act for the incorporation and continuance of building, loan fund and saving associations, and repealing the laws on that subject," approved, March 7, 1873.

And the same are herewith transmitted to the Senate.

Report by Mr. Johnston of Parke:

MR. PRESIDENT:

Your Joint Committee on Enrolled Bills have this day presented to the Governor for his signature the following enrolled bills, to-wit:

Enrolled Senate Bills Nos. 252, 186, 308, 293, 259, 105, 178, 112 and 344.

Message from the House by Mr. Holmes, Clerk thereof.

MR. PRESIDENT:

I am directed by the Speaker of the House, to inform the Senate, that the House has passed Engrossed Senate Bill No. 45, entitled, an act in relation to the appointment of receivers, and to authorize appeals in such cases.

Also, Senate Bill No. 292, entitled, "an act to amend the law for the incorporation of cities."

I am further directed by the House to inform the Senate, that the House has passed the following concurrent resolution:

Resolved by the House, the Senate concurring, That a committee of conference be appointed, for the purpose of conferring as to the disagreement of the Senate and House, in relation to House Bills Nos. 489 and 492, and that as such committee on the part of the House, the following members have been appointed: Messrs. Caldwell and Forkner, in which action, the Senate is respectfully asked to concur.

On motion by Mr. Chapman, the House Concurrent Resolution on Engrossed House Bill Nos. 492, asking a conference committee, was taken up, concurred in and the President appointed as said committee, Messrs. Chapman and Harney.

The question recurring on the report of the committee on Engrossed House Bill No. 496, to strike out section 22 of the bill,

It was agreed to,

And to strike out section 26,

It was agreed to.

Also, to strike out section 27.

It was agreed to.

The amendments reported by the committee to section 29 were agreed to, and to strike out section 31 was agreed to.

The amendments to section 32 were agreed to.

To strike out section 33 was agreed to.

Mr. Hough moved to strike out section 43.

Mr. Daggy moved to amend by inserting the words "one hundred and fifty dollars" in lieu of the amount named in the section.

Messrs. Dykeman and Skinner demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Beardsley, Bearss, Bunyan, Cardwell, Daggy, Friedley of Scott, Gooding, Hackleman, Haworth, Hough, Howard, Johnston of Parke, LaRue, Neff, Oliver, Ringo, Roe, Scott, Tobin and Underwood—20.

Those who voted in the negative were,

Messrs. Bell, Boone, Bowman, Cree, Culbertson, Davidson, Dykeman, Friedley of Lawrence, Givan, Grove, Henderson, Hendricks, Johnson of Floyd, Major, Maxwell, Peed, Skinner, Slater, Stockslager, Wilson and Winterbotham—21.

So the motion was agreed to.

The question now being on the motion to strike out,

Messrs. Hough and Bunyan demanded the ayes and noes.

Those voting in the affirmative were,

Messrs. Bearss, Bunyan, Chapman, Haworth, Hough, Oliver and Underwood—7.

Those who voted in the negative were,

Messrs. Bell, Boone, Bowman, Cree, Culbertson, Daggy, Davidson, Dykeman, Friedley of Lawrence, Friedley of Scott, Givan,

Grove, Hackleman, Henderson, Hendricks, Johnson of Floyd, Johnston of Parke, LaRue, Major, Maxwell, Peed, Ringo, Roe, Sarnighausen, Scott, Skinner, Slater, Stockslager, Tobin, Wilson and Winterbotham—31.

So the motion was not agreed to.

Mr. Daggy offered the following amendment :

Add to section 43, "and that William Baxter be allowed the sum of fifty dollars for his expenses in paying for depositions, witness and other expenses in the election contest with Wm. C. Jeffries."

Which was agreed to.

Mr. Winterbotham offered the following section :

The further sum of \$20,000 is hereby appropriated, to be expended in the construction of additional cell room or cell house in the State Prison North, in the year 1875, and the further sum of \$20,000 additional is hereby appropriated for the same purpose, to be expended in the year 1876.

Which was agreed to.

Message from th House by Mr. Holmes, Clerk thereof: .

MR. PRESIDENT :

I am directed by the Speaker of the House to inform the Senate that the House has passed Engrossed Senate Bill No. 190, entitled "An act vesting the inchoate interest of married women in the lands of their husbands, when the title of the husband therein has been divested by certain judicial sales," etc.

Also, House Bill No: 297, entitled "An act to amend section 30 of an act entitled 'an act granting the citizens of the town of Evansville, in the county of Vanderburgh, a city charter,'" approved May 27, 1847, etc.

Also, Senate Bill No. 56, entitled "An act to amend the 1st section of an act entitled 'an act to prevent the introduction and spread in this State of the Texas and Spanish cattle fever.'"

And the same are herewith transmitted to the Senate.

Mr. Neff offered the following amendments to House Bill No. 496 :

Amend by inserting the following section: ' To Martin A. Reeder, for carpenter work on Reformatory Institution for Boys, \$2,776.

Which was agreed to.

Mr. Friedley of Lawrence offered the following amendment :

That Clinton C. Riley, Clerk of the Finance and other committees, be allowed the sum of twenty-five dollars pay from the first to the fifth days of the session, inclusive.

Which was not agreed to.

Message from the House by Mr. Holmes, Clerk thereof :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has signed Enrolled House Acts Nos. 463, 339 and 465, and the same are herewith transmitted for the signature of the President of the Senate.

Mr. Harney offered the following amendment to House Bill No. 496 :

Sec. —. That A. E. and W. H. Drapier be allowed the same price paid per page for the same number of copies of the Brevier Legislative Reports furnished the State every session for the last eighteen years.

Mr. Johnston of Parke moved that the amendment do lie on the table.

Which was agreed to.

Message from the House by Mr. Holmes, Clerk.

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed Engrossed Senate Bill No. 171, entitled "An act to amend

the first, second and third sections of an act entitled 'an act regulating the sale of county property and the letting of buildings and bridges, fences and monuments,' " etc.

Also, Senate Bill No. 138, entitled "An act in relation to the settlement of claims against decedents' estates."

Also, Senate Bill No. 282, entitled "An act to limit the power of Township Trustees in incurring debts and requiring them to designate certain days for transacting township business," and they are herewith transmitted to the Senate.

Mr. Oliver moved that the claim of J. J. Palmer for \$3,391.71, for filling and improvement of Tennessee street, adjoining to the State House grounds, be allowed.

On motion by Mr. Smith the motion was laid on the table.

Mr. Haworth moved to strike out section 24.

Which was not agreed to.

Mr. Gooding moved that the constitutional rule requiring bills to be read on three several days be suspended that House Bill No. 496, the specific appropriation bill, that the amendments be considered engrossed, and read a third time now.

The ayes and noes being taken under the rule,

Those voting in the affirmative were,

Messrs. Baxter, Beardsley, Bell, Bowman, Bunyan, Cardwell, Culbertson, Davidson, Friedley of Scott, Givan, Gooding, Grove, Hackleman, Haworth, Henderson, Hendricks, Hough, Johnston of Parke, LaRue, Maxwell, Neff, Oliver, Peed, Ringo, Roe, Sarninghausen, Scott, Skinner, Slater, Smith, Stockslager, Tobin, Underwood and Wilson—34.

No Senator voting in the negative.

So the constitutional rule was suspended and the bill read a third time.

The question being, shall the bill pass?

Those voting in the affirmative were,

Messrs. Baxter, Bell, Boone, Bowman, Cardwell, Cree, Culbertson, Daggy, Davidson, Friedley of Lawrence, Friedley of Scott, Givan, Gooding, Grove, Hackleman, Haworth, Henderson, Hendricks, Hough, Howard, Johnson of Floyd, Johnston of Parke, LaRue, Maxwell, Oliver, Peed, Ringo, Sarnighausen, Scott, Skinner, Slater, Sleeth, Smith, Tobin, Underwood, Wilson and Winterbotham—38.

Messrs. Bearss and Stockslager voting in the negative.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

Was amended by adding the words "and the year 1876."

Ordered, that the Secretary inform the House of the passage of the bill.

Message from the House by Mr. Holmes, Clerk thereof:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has concurred in the amendments of the Senate to House Bill No. 261.

Mr. Daggy moved that the Senate concur in the House amendments to Senate Bill No. 163.

Which was agreed to.

Message from the House by Mr. Holmes, Clerk thereof:

MR. PRESIDENT:

I am directed by the Speaker of the House to inform the Senate that he has signed the following Enrolled House Bills, to-wit: Nos.

490, 247 and 445, and the same are herewith transmitted to the Senate for the signature of the President thereof.

House Bill No. 484. An act to legalize the subscription of \$45,000 by the city of Vincennes, Indiana, to the capital stock of the Vincennes Drawbridge Company, and declaring an emergency.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bell, Boone, Bowman, Bunyan, Cardwell, Cree, Culbertson, Daggy, Davidson, Friedley of Lawrence, Friedley of Scott, Givan, Gooding, Grove, Haworth, Henderson, Hendricks, Hough, Humphries, Johnson of Floyd, Johnston of Parke, Major, Oliver, Peed, Rhodes, Ringo, Ree, Sarnighausen, Scott, Skinner, Smith, Stockslager, Tobin, Underwood, Wilson and Winterbotham—37.

No Senator voting in the negative.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Ordered, that the Secretary inform the House of the passage of the bill.

Message from the House by Mr. Holmes, Clerk thereof.

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed Engrossed Senate Bill No. 302, entitled "An act to change the Widows' and Orphans' Asylum of Indianapolis to the Indianapolis Orphans' Asylum.

Also, Senate Bill No. 212, entitled "An act to authorize the judges of Criminal Courts in this State to issue writs of *habeas corpus*.

Also, Senate Bill No. 341, entitled "An act to amend section 21 of an act entitled 'an act to establish a Female Prison and Reformatory Institution for Girls and Women, to provide for the organization and government thereof, and making appropriations,'" approved May 3, 1869, the amendments, and are herewith transmitted to the Senate.

Mr. Humphries made the following report :

MR. PRESIDENT:

The Committee on Free Conference, appointed by the Senate and House of Representatives on the fee and salary bill, have failed to agree and ask to be discharged.

Mr. Humphries moved that the Senate do now recede from its amendments to House Bill No. 453, the Fee and Salary Bill, and concur in said House Bill.

Mr. Dykeman moved the previous question.

Messrs. Sleeth and Humphries, demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Bell, Boone, Bowman, Bunyan, Cree, Culbertson, Daggy, Davidson, Dykeman, Givan, Grove, Henderson, Hendricks, Humphries, Johnson of Floyd, Peed, Ringo, Sarnighausen, Skinner Slater, Smith, Stockslager, Tobin, Wilson and Winterbotham—25.

Those who voted in the negative were,

Messrs. Baxter, Beardsley, Bearss, Cardwell, Chapman, Friedley of Lawrence, Friedley of Scott, Gooding, Hackleman, Haworth, Hough, Howard, Johnston of Parke, LaRue, Major, Neff, Oliver, Rhodes, Roe, Scott, Sleeth and Underwood—22.

So the previous question was seconded by the Senate

Mr. Chapman from the Committee on Conference, made the following report:

MR. PRESIDENT:

The Committee on Conference, appointed on behalf of the House

and Senate, to whom was referred House Bills Nos. 492 and 489, have considered the same, and report back to the Senate that the committee on the part of the House, agreed to report a substitute for House Bill No. 492, back to the House, and recommend its passage, being a bill for raising revenue by making a levy of thirteen cents on the \$100 of taxable property, and fifty cents poll, for each of the years 1875 and 1876, and the committee further recommend, that the Senate amendments, striking out of House Bill No. 489, sections 44, 45 and 46, be concurred in by the House, and they recommend the passage by the Senate of House, Bill No. 452, authorizing temporary loans. And they further recommend that section 5 of House Bill No. 489 be amended as follows:

By inserting the words "and office" after the word "traveling," in the first line of said section, and that section 16 of said bill be amended as follows :

By inserting the words "and office" after the word "traveling," in the first line of said section, and that the Senate recede from their amendments to the said section.

Report from the Committee on Phraseology and Arrangement of Bills :

By Mr. Bell, Engrossed Senate Bill No. 301.

By Mr. Daggy, Engrossed Senate Amendments to Engrossed House Bill No. 489.

Message from the House by Mr. Holmes, Clerk thereof.

MR. PRESIDENT:

I am directed by the Speaker of the House to inform the Senate that he has signed the following Enrolled House Acts, to-wit :

Nos. 138, 310, 321, 132, 238, 195, 69, 191, 368, 118, 66, 67, 403, 26, 97, 293, 367, 284, 410, 6, 77, 269, 101, 164, 144, 277, 89, and the same are herewith transmitted to the Senate for the signature of the President.

Also, the following Enrolled Senate Acts, to-wit :

Nos. 124, 337, 151, 281, 218, 199, 77, and the same are herewith transmitted to the Senate.

Also, the following Enrolled Senate Acts, to-wit :

Nos. 344, 42, 252, 196, 308, 293, 259, 105 and 178, and the same are herewith returned to the Senate.

Report by Mr. Johnson of Parke.

The committee on Enrolled Bills report Senate Enrolled Acts Nos. 77, 151, 281, 124, 199, 218, 196, 308, 293, 259, 105, 252, 178, 344, 112, 75, 288, 361, 307, 250, 100, 101, 283, 48, 305 and 335 correctly enrolled.

The President announced that he had signed Enrolled Senate Acts Nos. 337, 77, 252, 196, 163, 59, 55, 335, 305, 151, 218, 199, 124, 281, 112, 178, 105, 344, 259, 293 and 308.

Also, Enrolled House Acts Nos. 310, 321, 132, 195, 238, 69, 191, 368, 118, 66, 67, 403, 26, 97, 293, 367, 284, 410, 6, 77, 269, 101, 164, 140, 89, 277, 138, 465, 339, 463, 490, 445 and 247.

The President announced that he had signed Senate Enrolled Acts Nos. 361, 101, 288, 307, 100, 283, 48, 246, 52, 150, 45, 348, 292, 83, 296, 212, 138, 190, 282, 56, 302, 341, 258, 192, 290, 141, 241, 297, 171, 75, 250 and 261.

Also, House Enrolled Acts Nos. 206, 343, 594, 409 and 389.

Mr. Johnston of Parke, from the Committee on Enrolled Bills, reported that he had transmitted to the Governor the following Enrolled Senate Acts : Nos. 361, 101, 288, 307, 100, 283, 48, 246, 52, 150, 45, 348, 292, 212, 138, 190, 282, 56, 302, 341, 258, 192, 280, 141 and 241.

MONDAY MORNING:

MARCH 8, 1875, 10 O'CLOCK.

Senate assembled, President in the chair.

The Journal of yesterday read and approved.

Message from the Governor, by his Private Secretary:

MR. PRESIDENT:

By direction of the Governor I have the honor to inform the Senate that he has approved and signed enrolled bills of the Senate numbered and entitled as follows:

No. 32. An act to limit appointments to office in the punitive, reformatory and benevolent institutions of the State, approved February 25, 1875.

No. 130. An act to amend section 54 of an act entitled "An act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in the courts of this State, to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity," approved June 18, 1852. Approved February 25, 1875.

No. 106. An act to authorize incorporated towns to negotiate and sell bonds to procure means with which to complete unfinished buildings for public purposes, and authorizing the levy and collection of an additional special tax for the payment of such bonds, approved February 25, 1875.

No. 121. An act to amend an act entitled "An act providing for the election and prescribing certain duties of county surveyors," approved June 17, 1852. Approved February 25, 1875.

No. 137. An act concerning the practice in cases applied to the circuit court, approved February 25, 1875.

No. 157. An act to amend the 153d section of an act entitled "An act to provide for a general system of common schools, the officers thereof, and their respective powers and duties, and matters properly connected therewith, and prescribing the fees for certain officers therein named, and for the establishment and regulation of township libraries, and to repeal all laws inconsistent therewith, providing penalties therein prescribed," approved March 6, 1865. Approved February 25, 1875.

No. 155. An act supplemental to an act concerning the organization and perpetuity of voluntary associations, and repealing an act entitled, "An act concerning the organization of voluntary associations, and repealing former laws in reference thereto" approved February 12, 1855, and repealing each act repealed by said act, and authorizing gifts or devises by will to be made to any corporation or purpose contemplated by this act, and providing that the board of commissioners of counties, shall in certain cases, allow for the support of orphan children, who are cared for by associations organized under the third specification of the second section of said act, and requiring said orphan children to be furnished with homes as expeditiously as practicable, and making the senior commissioner in service, a member ex-officio of the board of officers of such associations, also provided that no distinction shall be made on account of the nativity, complexion or religious belief of such orphans or their parents, approved February 26, 1875.

No. 230. An act to amend the tenth section of an act entitled, "An act providing for voluntary assignments of personal and real property in trust, for the benefit of creditors, and regulating the mode of administering the same," approved March 5, 1859. Approved February 26, 1875.

No. 21. An act to prohibit the sale, gift or bartering of deadly weapons, or ammunition therefor, to minors, approved February 27, 1875.

No. 304. An act to amend section 5, of an act entitled, "An act regulating the adoption of heirs" approved March 2, 1855, and declaring an emergency. Approved February 27, 1875, and that he has caused said acts to be deposited in the office of the Secretary of State.

SAMUEL R. DOWNEY,

Private Secretary.

Message from the House by Mr. Holmes, Clerk thereof.

MR. PRESIDENT:

I am directed by the House so inform the Senate that the House has passed the following concurrent resolution:

Resolved by the House, the Senate concurring, That a committee of one Senator and one Representative be appointed by the presiding officers to wait upon his Excellency, the Governor, and know if he has any further official communications to make to this General Assembly, and that the Speaker of the House has appointed Mr. Glasgow a member of such committee upon the part of the House.

Message from the House by Mr. Holmes, Clerk thereof.

MR. PRESIDENT:

I am directed by the Speaker to inform the Senate that the House refuses to concur in the amendments of the Senate to House Bill No. 487, and the same is herewith transmitted to the Senate.

Also, that the House has passed the following concurrent resolution, which is herewith transmitted to the Senate:

Resolved by the House of Representatives the Senate, concurring, That there be allowed Samuel W. Holmes, principal Clerk, and Thomas C. Mays, Assistant Clerk of the House, each the sum of two hundred and fifty dollars for indexing, correcting proof, and preparing abstracts for the House Journal of 1875, including the preparing of the file for the special session of 1875, and all other matters properly belonging to the preparing of the House Journal for press, and that the Speaker of the House be and he is hereby authorized to issue his warrant on the Auditor of State for said amount, to be paid out of any money heretofore appropriated for Legislative purposes.

Also, that the House refuse to concur in the amendments of the Senate to House Bill No. 492, and the same is herewith returned to the Senate.

On motion by Mr. Sarnighausen the House concurrent resolution asking a committee of one on the part of the Senate to wait upon the Governor, was taken up, and the President appointed Mr. Sarnighausen as said committee.

On motion by Mr. Haworth, the message of the Governor relating to the appointment of Trustees for the House of Refuge was taken up.

Mr. Haworth moved that the message be referred to the Committee on Judiciary.

Mr. Chapman demanded a call of the Senate.

Those answering to their names were,

Messrs. Beardsley, Bearss, Bell, Boone, Bowman, Bunyan, Chapman, Cree, Culbertson, Daggy, Davidson, Dykeman, Friedley of Lawrence, Friedley of Scott, Givan, Grove, Hackleman, Harney, Haworth, Henderson, Hendricks, Hough, Howard, Humphries, Johnson of Floyd, Johnston of Parke, LaRue, Major, Maxwell, Neff, Oliver, Peed, Rhodes, Sarnighausen, Scott, Skinner, Slater, Sleeth, Smith, Stockslager, Tobin, Underwood, Wilson and Winterbotham—44.

On motion by Mr. Chapman the further call was dispensed with.

Message from the House by Mr. Holmes, Clerk thereof:

MR. PRESIDENT:

I am directed by the Speaker to inform the Senate that the House has passed the following concurrent resolution:

Resolved by the House, the Senate concurring, That each member of the Prison Committee be allowed the sum of twenty-five dollars for expenses in visiting State Prison, North. And also that each member be allowed the sum of fifteen dollars for expenses in visiting the State Prison, South, and the same be paid out of the special appropriation made to defray the expenses of the General Assembly.

And the same is herewith transmitted to the Senate.

The question recurring on the motion of Mr. Haworth.

Mr. Winterbotham moved that the motion do lie on the table.

Messrs. LaRue and Haworth demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Bell, Boone, Culbertson, Davidson, Dykeman, Givan, Grove, Harney, Henderson, Hendricks, Humphries, Johnson of Floyd, Maxwell, Peed, Skinner, Slater, Smith, Stockslager, Wilson and Winterbotham—20.

Those who voted in the negative were,

Messrs. Beardley, Baxter, Bunyan, Chapman, Daggy, Friedley of Lawrence, Friedley of Scott, Hackleman, Haworth, Hough, Howard, Johnston of Parke, LaRue, Major, Neff, Oliver, Rhodes, Scott, Sleeth, Tobin and Underwood—21.

So the motion was not agreed to.

The message of the Governor was then referred to the Committee on Judiciary.

Message from the House by Mr. Holmes, Clerk thereof:

MR. PRESIDENT:

I am directed by the Speaker to inform the Senate that the House has passed the following concurrent resolution:

Resolved by the House of Representatives, the Senate concurring,
That Senators be instructed and our Representatives in Congress be requested to use their endeavors to so amend the law as to make United States bonds taxable the same as other property is now taxed by law, and that the Governor be instructed to transmit a copy of the resolution to each of our Senators and Members of Congress.

And the same is herewith returned to the Senate.

Also, that the House has concurred in the resolution of the Senate in regard to the school fund of Spencer county.

SENATE CONCURRENT RESOLUTION.

WHEREAS, There has existed an error in the principal of the common school fund held in trust by Spencer county since June, 1866, by reason of an excess of said principal, being, by mistake, reported as assets ; therefore,

Resolved, by the General Assembly of the State of Indiana, That the State Superintendent of Public Instruction and the Auditor and Treasurer of Spencer county be and they are hereby authorized to re-open the account between Spencer county and the State for the purpose of correcting errors, and after being corrected the said account shall be closed, and the same is herewith transmitted to the Senate.

On motion by Mr. Chapman the concurrent resolution of the House relating to the extra compensation to Clerk and Assistant Clerk of the House, was taken up.

Mr. Chapman offered the following amendment :

Amend the concurrent resolution of the House as follows :

Be it further resolved, That there be allowed to John Overmyer, Principal Secretary of the Senate, and William H. Smith, Assistant Secretary of the Senate, each the sum of two hundred and fifty dollars for indexing, correcting proof, and preparing abstracts for the Journal of 1875, including the preparing of the file for the special session of 1875, and all other matters properly belonging to the preparing of the Senate Journal for press, and that the President of the Senate be and he is hereby authorized to issue his warrant on the Auditor of State for said amounts, to be paid out of any money heretofore appropriated for legislative purposes.

Which was agreed to.

The resolution as amended was then agreed to.

Mr. Friedley of Lawrence offered the following resolution :

Resolved, That Thomas S. Ewing be allowed for eleven days as Engrossing and Enrolling Clerk at the rate of five dollars per day,

his services having been required in order to keep up the work of enrolling and engrossing ordered by the Senate to be paid out of money heretofore appropriated for Legislative expenses.

Which was adopted.

Mr. Friedley of Scott, from the sub-committee appointed to investigate the affairs at State Prison, South, presented the following minority report :

To the General Assembly of the State of Indiana :

Finding ourselves compelled to differ totally from the statement and conclusion of the paper published as a report of the majority of the sub-committee of investigation of the State Prison South, we beg leave to lay before you the reasons for our dissent.

1. Without delay after our appointment on the sub-committee, we proceeded to Jeffersonville to enter on the discharge of our duty. On our arrival at the place of investigation we found that other members of the committee had preceded us without notifying us of their intention to pursue the investigation at any place other than at the Prison ; that they had organized by the election of a chairman in disregard of the right of Senator Friedley to preside as the regular chairman of the committee ; that they were holding their sessions at a hotel in Jeffersonville instead of at the Prison, a mile distant ; that the hotel was kept by a relative and earnest partisan of one Col. James Keigwin ; and that the House portion of the committee was composed of three members of the same party, instead of being of diverse politics, as provided in the resolution of appointment. Protesting against these illegal, irregular and arbitrary proceedings, we nevertheless addressed ourselves to the work of investigation.

2. As soon as we attempted to take part in the duties of the committee we found ourselves in the position of a helpless minority of an inquest organized to convict the officers of the Prison, utterly regardless of truth and decency. We found that a regular conspiracy had been formed, of which Col. Keigwin was the head ; that for years past he had been collecting all the gossip and slander of convicts, discharged employes, and hungry partisans ; that he had systematized these reports and rumors, suppressing all explana-

tions, and preparing such proofs as a partisan committee would receive.

We found Col. Keigwin present to act as prompter, and prosecute with written lists of witnesses, questions and figures, and the whole programme arranged for the committee in advance of its coming. On investigation we found the animus of this prosecution to be very patent.

Four years ago Col. Keigwin was a State Senator, and having assisted to elect a Board of Directors for the Prison, he then resigned his seat in the Senate, and by them was elected Warden of the Prison, instead of Col. Shuler; but this election proving to be void because one of the Directors was holding too many offices at once, Col. Keigwin lost both the Senatorship and the Wardenship, and now in revenge of his disappointment he heads this assault on Shuler, to which a majority of the committee has universally lent itself.

3. As further proof that the majority of the committee engaged in a persecution, and not an investigation, we refer you to the public surroundings of the proceedings. If some poor devil is charged with larceny the law requires that before he is branded as a thief he shall be convicted after first meeting the witnesses face to face, but before such trial can be had there must be a secret inquest where jurors and witnesses are sworn not to reveal what has occurred, that accusation may not taint the name of the innocent; but in this case a public officer, and an honorable man, is assailed and denounced; garbled statements are made in the public press of what is to be proved, the committee are surrounded by partisan reporters, distorted and prejudiced evidence is thrown before the world, and while the accused is lying at the door of death from the effects of a wound received in the service of his country, the presence of counsel is utterly denied. A prosecutor is allowed, secret charges are entertained, prearranged testimony is taken. The accused is sick, counsel is denied, explanations are suppressed, and the result is sent forth as a legislative investigation! If ever partisanship descended to lower depths of degradation Indiana does not furnish the instance.

4. Still more, while the report of the committee professes to cover the transactions of the entire official terms of the present warden, even to charge irregularities before his official induction to

office, there is a conspicuous absence of the testimony of witnesses, in easy reach, and who know all about the affairs of the prison. If there were irregularities or peculations connected with the contracts of or payment to Hall, Sample & Co.; or if there was illegality, or fraud, or bribery, in connection with the contracts or transactions of the Southwestern Car Company, why were not those witnesses called who would have told all about it? John W. Hall, Wm. Sample, Col. Millard, W. Riley McKeen, the former directors, all were in easy reach. Why were none of these called? Men like these, whose characters are unassailable, and whose knowledge would develop the whole truth, are passed by, and J. Hop Green, King and others, disreputable people, whose statements were shown to be false and prompted by personal hostility were called. Why was this? Simply because the majority did not propose to investigate but to condemn. The conclusion was determined on before the Committee left the Capitol, and their business at Jeffersonville was to pick up the shreds of evidence which might seem to sustain it.

5. With this general characterization of the so-called investigation, we must content ourselves with but a brief review of the case presented by the majority, both from want of time and because the evidence recorded is beyond our reach. Having been taken for partisan ends, it is to be published at the expense of the State for campaign purposes, and will then be open for review by all who know the facts.

(1.) It stated that Shuler paid Hall, Sample & Co. over \$2,000 for extensions to their shop at the beginning of his career. True, because it was due them under contract. Proof, that the Legislature of 1869 not only acquiesced in this, but made them an additional allowance of \$4,000.

(2.) It is alleged that one of the Directors furnished the prison a large bill of flour. True, the prison had no money to buy; the convicts had to be fed, and Mr. Hill provided the flour for the State. Mr. Hill did not become a contractor to the prison, received no fee, margin or profit, simply used his personal credit to supply the State's necessity.

(3.) Another Director sold a horse to the prison. True, Mr. Kirk is a Democrat, has been dealing in horses for more than twenty years, and availed himself of his experience to secure a good horse, which was needed and ordered by the board.

(4.) It is alleged, also, that some four years ago the Chaplain of the prison was sent to London at the expense of the State. This is also true. An international congress was held in the interest of prison reform, and the Governor authorized Indiana to be represented, and the Directors sent Chaplain Sullivan as a delegate to this congress. We give three specimens of the transactions of the prison authorities for several years past, and of the flimsy foundations upon which rest all insinuations of mismanagement and wrong. But let us look at the charges against Shuler, and the evidences of fraud offered. It is alleged that Col. Shuler went to the prison six years ago a poor man, and has since grown rich; that he had furnished his house, supported his family and boarded his guards at the expense of the State, that he has bought lots, filled up ponds and built houses with money and labor stolen from the State; that he has private interests in the contracts for prison labor, has profitable contracts with a car company to the detriment of the State, and makes false reports of the uses of prison money and labor; in short, that he is a first-class villain, who should be a convict in the prison instead of its honorable keeper. It would be a long and tedious work to unravel and expose all the falsehoods, misrepresentations and mistakes in these assertions, and we must content ourselves with brief remarks.

(1.) And first, the whole superstructure of slander rests on a foundation of falsehoods. At the time of his election as Warden, Col. Shuler was a citizen of Danville, and was known to his fellow-citizens to be a man of property. His father-in-law was one of the wealthy and reputable farmers of Hendricks county, and hence whatever lots, houses or wealth Col. Shuler may have can be sufficiently accounted for without supposing it stolen from the State.

(2.) All the charges that the Warden received provisions for his family or materials for his houses from the State without payment, were refuted by the recorded orders of the Directors, charges on the clerk's ledger, and the testimony of the provision guard, Maloney, who explained how provisions were charged.

(3.) The charges of furnishing materials for houses, or supplies for his family, at the expense of the State, were refuted by the testimony of Lintonthias and other dealers, who exhibited their separate accounts with the State and with the Warden.

(4.) The allegation that the Warden kept his stock at the State's expense is likewise disproved by the large amount charged to team account by the prison clerk against Col. Shuler for 1874, as well as by other equally creditable testimony.

(5.) All charges of corrupt and secret contracts with the Southwestern Car Company are conspicuously disproved by the failure to call in evidence of any of the parties who could have known of them.

(6.) In fact, all charges of corruption and fraud were either directly refuted or signally failed of proof, notwithstanding the one-sided character of the examination, and the absence of the accused, the whole sensation is left to rest on a narrow margin of facts, which may show some extravagance, but nothing more.

It was shown that the Warden received the offal of the prison, but even the majority report admits this to be of "precedent of long continuance, and was no proof of fraudulent intent."

It was shown that a portion of the carpets and furniture of the Warden's house was charged to the account of "prison repairs," but this was done by order of the Directors to replace what had been worn out in the State's service. It was shown that horses and carriages of the State were used by the Warden and his family, as well as for public service. It was shown that repairs and improvements were made on the house and yard of the Warden's residence, a green-house built and plants set out, but as these are the premises of the State, and will remain to Col. Shuler's successor, it is difficult see corruption in it. It was also shown that a large number of the convicts were employed in domestic and other services about the premises, but as these were usually such as could not be put on contracts, or such as were trusty, and were thus favored for good conduct, there is no presumption of wrong in the premises. This state of things may show extravagance, and may be unwise and unwarrantable display of luxury, but so long as a similar condition of things exists at other State institutions, and the superintendents of them are allowed houses, green-houses and furnished apartments, it is neither just nor honorable to base on them charges of corruption and fraud. The only approach to misappropriation of State property to the personal use of Col. Shuler is in connection with the use of old material and prison labor in filling lots and building houses, but it was conclusively shown by the prison records that

there was no attempt at concealment or attempt at fraud in these matters.

The material used was old brick from cell and wall that could not be otherwise used, and dirt in the grading of streets. The prices guessed at by the majority in their report are absurdly large. The fact that a large portion of the old brick were used in prison repairs and but little in Shuler's houses is ignored; and the records and charges showing the consent of the Directors, and payment to the State by the Warden, are passed over.

In regard to counsel fees, it will be sufficient to say, that Judge Hawk, an eminent Democratic lawyer of New Albany, has been the regular attorney of the Prison, from the time of the predecessors of Col. Shuler, and that Mr. G. W. Friedley, who was retained to assist in the prosecution of the murderers of the guard Chamberlain, is a member of the Senate, and able to explain his connection with the Prison.

The tale of money appropriated, and illegally and fraudulently used, as given in the report of the majority, is so ridiculous on the face of it, that it is singular that even blinded partisanship could be tempted into its publication.

If there is not sufficient argument and proof offered to rebut these charges of fraud, we must once more remind the Senate of the serious illness of Col. Shuler, and the refusal to allow him to appear by Attorney. The entire absence of those witnesses most familiar with the affairs of the prison and who could have given information, and the open and undisguised partisanship in the conduct of the investigation, which sought to convict, not to inquire.

We pronounce the exhibit of indebtedness of the prison as made by the majority report, to be wholly unreliable, and denounce the demand for an appropriation of \$35,000 for the purpose of payment, as wholly unwarranted. The result is obtained by disregarding a large amount of available assets, and placing to the account of liabilities not only those funds in the last annual report, but large contracts for clothing and provisions, for the current year, and for future delivery.

The true result may be found, by taking the indebtedness as shown by the annual report of December 15, 1874, adding to this all debts not ascertained at that date, and deducting therefrom the

available assets of the prison, which the minority have done, and find the indebtedness over the available assets, but little in excess of \$15,000, and no more than this should be appropriated. If to this there should be added an allowance of \$5,000 for the next fiscal year, only to be drawn in case of actual deficiency, all real needs of the prison will be provided for.

In conclusion, we are aware that this defense of an efficient public officer, against the combined attack of personal malice, private interest and party zeal, will be held by those who had pronounced judgment before the case was tried, as an attempt at "whitewashing."

To such we say, that we hold it to be far more honorable to whitewash than blackwash our fellow-men. We concur in the opinion that "slander, foulest whelp of sin, makes hellish meals of good men's names," and have no sympathy with that depravity of mind which thinketh only evil.

We hold the State bound to defend the character of her officers when unjustly assailed, as well as to punish those convicted of wrong. If the tendency to denounce all public officers as corrupt and thievish does not cease, the time is not far distant when all honorable men will shun the public service, and the affairs of State being really left to the unprincipled and dishonest, we shall deservedly perish in our own corruption.

J. H. FRIEDLEY.

W. J. HOWARD.

Under the rule, the report lies on the table.

Message from the House, by Mr. Holmes, Clerk thereof.

MR. PRESIDENT:

I am directed by the Speaker of the House, to inform the Senate, that he has signed the following Enrolled Acts of the House, to-wit: 343, 409, 389, 294 and 206, and the same are herewith transmitted to the Senate.

Also, House Joint Resolution No. 12, A joint resolution in relation to the two per cent. claims of Ohio, Indiana and Illinois.

Message from the House, by Mr. Holmes Clerk thereof.

MR. PRESIDENT:

I am directed by the Speaker, to inform the Senate, that the House has passed the following concurrent resolution to-wit:

Resolved, That each member of the sub-committee on Affairs of State Prison, be allowed the sum of fifty dollars, for expenses necessarily incurred by them, in investigation of the Southern Prison, and paid out of the appropriation made at this session, for expenses of the Legislature.

Also, That the House has concurred in the amendments of the Senate, to the concurrent resolution of the House, making allowance to the Principal and Assistant Clerk of the House.

Mr. Johnson of Floyd, from the sub-joint committee, appointed to investigate the affairs of the Indiana State Prison South, make the following majority report:

MR. PRESIDENT:

Your committee, appointed to investigate the affairs of the Indiana State Prison South, beg leave to submit the following report:

REPORT.

Your Committee went to Jeffersonville on the 12th ult., and immediately proceeded to examine the condition of the Prison, which was found to be ordinarily good, but there is room for improvement in the discipline and sanitary arrangements; much more filth being found in and about the grounds and yards than could be from necessity. To this may, in part at least, be attributed the unusual mortality of the past year among the convicts.

The next, and succeeding day until noon, were devoted to the examination of the Warden's vouchers, but without concluding this part of the investigation, the Committee were compelled to return to Indianapolis. Subsequently a Sub-Committee composed of

Messrs. Heller, Bellows, Leeper, of the House of Representatives, and Messrs. Friedley, Johnson, Howard, of the Senate, was appointed to continue the investigation, and returned to Jeffersonville on the 24th ult., and from that time until the 3d inst. was most assiduously and continuously at work.

All of the books of the Prison, and about fifty witnesses, were examined; and while the time, which could be devoted to the subject, was not sufficient to enable the Committee to complete the investigation or make it as thorough as could be desired, yet much evidence and information, in reference to the condition of the affairs of the Prison, were obtained. In some instances, through the evident disposition of witnesses not to reveal the whole truth, much delay was occasioned, and more witnesses were required to be summoned than would otherwise have been necessary. This was particularly so with some of the officers and employes of the Prison, notably of whom were A. L. Munson, Director, A. M. Luke, Deputy Warden, Patrick Malony, Guard.

It is a matter of great regret that the evidence of the Warden, Col. Shuler, could not be obtained, he being too ill to come before the Committee; but with all the disadvantages with which it had to contend, the labors of the Committee were successful in discovering frauds and peculations, useless wastes of money and criminal misappropriation of the property of the State. This has continued throughout the administration of the present Warden, but has been much greater in the last three years than previously. They have not been confined to the Warden, but have been participated in by Directors, Warden, Deputy Warden, Moral Instructor, and others, as will be more particularly shown hereafter.

Your Committee report herewith the oral testimony taken which, together with the vouchers and books of the Prison, are the basis of the conclusions it has reached; but the vouchers and books are the principal sources of the information obtained, and certainly must be considered good evidence against those who made and had the custody of them.

Colonel Lawrence S. Shuler became Warden January 1st, 1869. His first official act was an unauthorized expenditure of the State's money. On the 31st of December, 1868, one day before he became Warden, he drew on the State Treasurer, in favor of Hall, Semple & Co., for \$2,235.08 to pay for certain extensions to their shops in

the prison. These had been made by Hall, Semple & Co., under a verbal agreement with Colonel Meriweather, Colonel Shuler's predecessor, that, at the expiration of their contract, which would be in 1871 or 1872, the State would pay for them, at a valuation, excluding furnaces and fixtures. Colonel Shuler had no right to pay for them two or three years before the time agreed on, without any valuation, and thereby assuming all risks of fire, wear and tear of the buildings, and losing the use of that amount of money, without deductions for interest. It is true that the voucher is dated January 1st, 1869, but it is conclusively shown that it was made December 31st, 1868.

In February, 1869, Colonel Shuler again drew on the State Treasurer for \$2,500. No appropriation for the use of the prison for 1869 was made by the Legislature until April 29th, 1869, at the special session. These drafts, aggregating \$4,735.08, were paid from the appropriation for 1868 and which had not been need or used by Colonel Meriweather during that year, but which should have been covered into the Treasury as not being required for the purposes of its appropriation. On April 29th, 1869, the Legislature appropriated \$5,000 for the use of the prison for the year 1869, and doubtless it was intended that it should be all which the Warden should expend from any special appropriation for that year. But Colonel Shuler charges himself with receiving from the State Treasury for that year, \$7,500, and does not in any way account for the \$2,235.08 which was drawn in favor of Hall, Semple & Co., and possibly the fact that it was drawn without authority, accounts for the other fact: that he does not account for it.

The predecessor of Colonel Shuler was allowed about twenty-five dollars per annum to pay for the trouble of entertaining visitors; they were permitted to have the offal and slops from the prison kitchen, and the use of the Warden's house and premises free of rent. These, except the house and premises, were, to say the least, of doubtful legality or propriety, when it is remembered that the law governing the prison provides that no officer shall receive any allowances or compensation for his services except his salary, fixed by law; but as it has been a precedent of long continuance, your Committee will concede his right to receive them without any fraudulent intent. But the reception of any more than these must be taken to have been fraudulent and illegal, because done without any sanction of law or precedent.

Colonel Shuler has received for entertaining visitors \$200.00 per annum for four years, and \$400.00 per annum for the other two years while he has been Warden. Also, \$200.00 for losses sustained, but from or when can not be ascertained. He has obtained supplies and provisions for the use of his family and a large number of boarders from the stores belonging to the State; he has used the forage of the State to feed his horses, mules, cattle, hogs, and sheep; he has taken the brick, stone, lumber, and other materials belonging to the State to build houses on his ground and private account, fifteen of which houses were principally built from such materials; he has used the labor of a large number of convicts in the erection of houses, filling ponds, grading streets, alleys, and walks, digging cisterns, making fences, taking care of his stock, and as family servants; he has had his horses shod at the State blacksmith shop; he has had a horse and buggy, saddle horse and carriage and pair of horses for the use of himself and family; he has appropriated the hides and tallow of beeves and sheep slaughtered for the use of the Prison; he has furnished his house in most magnificent style throughout with very costly furniture, carpets, lambrequins, curtains and china ware; he has erected a green house and filled it with the rarest plants, flowers and exotics; he has erected a water fountain and deer park, supplied himself with costly flower vases and pots, torn down a good and commodious stable, barn and carriage house to make room for his green house and improve the beauty of his yard and flower garden; he has erected stables, barns and out houses seven times as large as the State required in order to accommodate his own horses, mules, hogs, sheep, and beef, and blooded cattle; he has received \$1,500.00 per annum for three years under a contract with the Southwestern Car Company to clear away the debris and rubbish from the Company's shops, using therefor a team owned by the State, driven by a man hired by the State; he has received \$200.00 per annum for three years under a contract with the same Company for hauling materials from the Company's lumber yard to the shops, using therefor a mule belonging to the State, driven by a convict, and trucks owned by the Car Company; he has purchased cattle for the use of the Prison on his private account, sold them to himself as Warden, taking a voucher to himself for his pay, without ascertaining the weights, only guessing what they were worth, when if the amount guessed were too large, it would be to his advantage.

This would seem a very severe arraignment of Col. Shuler, but it contains the facts, which are fully sustained by the evidence.

But besides the foregoing there have been other frauds and misappropriations of the money and property of the State, which did not enure to the benefit of the Warden. A. L. Munson, Director, received from the Warden \$115.00 expenses to Indianapolis, and \$40.00 for attending a Prison Congress at St. Louis. B. F. Hill, another Director, is connected with a large sale of flour to the Prison, purchased at an exceedingly high price, at a time of the year when flour is always the highest, and the amount of this lot was entirely too large, being more than sufficient to last until another crop of wheat would come into market.

John Kirk, the other Director, is indirectly connected with the purchase of a horse at \$255.00, when the State had more horses than it required, and when a horse costing \$125.00 less would have answered all the purposes for which that one has been used. John W. Sullivan, the Moral Instructor, received \$200.00 for attending a Prison Congress at London, England, and \$40.00 for attending another at St. Louis. A. M. Luke, the Deputy Warden, has had his cows fed at the State stables from State forage. In 1872, E. H. Green and Michael Whalen, two of the guards, became candidates for offices, the one for State Senator and the other for Sheriff of Clarke county, and both were absent from their duties more than two months, yet the Warden paid both their salaries for the time they were absent, at the rate of sixty dollars each per month.

Your Committee could not ascertain the value of all these illegal and fraudulent uses and misappropriations of the money and property of the State, or what the State has actually lost thereby, but it is enabled to approximate very nearly to what is the value and loss. The amounts are enormous, as the following figures will show, the correctness of most of which is susceptible of demonstration. They only contain those items which have not been received by other wardens and officers, and are clearly without precedent and illegal.

Allowance for entertaining visitors (certain).....	\$1,450 00
Allowances for losses (certain)	200 00
Horse and buggy (certain).....	500 00
Carriage (certain).....	500 00

Two horses for carriage (certain).....	505 00
Saddle horse (certain)	175 00
Brick, stone and material from old cell house (approx- imated)	700 00
Brick from wall 25 by 30 by 2½ feet (approximated).....	150 00
Brick and material from old store house (approximated)..	125 00
Lumber and material from warehouse (certain).....	400 00
Convict labor building 15 houses (approximated)	750 00
Convict labor filling ponds, grading, etc., (approximated)	500 00
Convicts taking care of stock, 6 years, (approximated) ..	2,160 00
Supplies, provisions, etc., for family and boarders (approx- imated)	3,000 00
Horse-shoeing at State blacksmith shop (approximated)..	50 00
Green-house plants, flowers, vases, pots, etc., (certain) ...	1,000 00
Removing stable to make room for greenhouse (approx- imated).....	100 00
Extensions to stables and barns, etc., (approximated).....	800 00
Cost of feeding his horses and mules, (approximated).....	2,400 00
Cost of feeding cattle, hogs and sheep, (approximated)...	3,500 00
Gardeners to cultivate flowers, etc., (approximated).....	1,800 00
Hides taken from beef, cattle and sheep (approximated)..	1,000 00
Tallow and grease taken from cattle and sheep, (approx- imated)	3,300 00
Contracts with car company, 3 years, (certain).....	5,100 00
Amount paid to Munson, (certain).....	155 00
Amount paid to Sullivan, (certain).....	240 00
Amount, excess paid for horse to Kirk, (certain).....	125 00
Amount paid to Green & Whalen, (certain).....	300 00
Amount paid for furniture, (certain).....	2,609 00
Amount paid for carpets, etc., (certain).....	1,344 62
Amount paid for chinaware, (certain).....	174 00

Making in the aggregate on those items, \$35,112,62, which should have been saved the State. It will be born in mind that all those expenditures, (illegal and unnecessary, as they were,) were made at times when the prison was in debt, and the guards and employes in great need of, and begging for their salaries, the prison being almost always several months in arrears with them ; but their appeals were unheeded by the Warden and Directors.

The amount of \$21,577 is reported by Colonel Shuler to be the expenditures for the repairs of the prison for 1874. It will not be forgotten that he reports \$17,000, as being the amount used in the same way in 1873. Your committee has not succeeded in ascertaining how this very large sum was expended in 1874, and for want of time, did not attempt to ascertain that for 1873. The officers of the prison when examined on the subject, spoke generally of improvements in the Warden's house, blacksmith shop, foundry, and the erection of steam and washing apparatus and repairs of streets near the prison. No new shops or buildings have been erected in the prison; no extensive repairs of any kind have been put on any of the buildings, or any considerable expenditure made in any one place about the prison, and the way the books have been kept it is impossible to itemize all these expenditures, but the committee viewed the places where the improvements are said to have been made, and think they should not have cost more than \$8,000, and more than half of those were for the comforts, conveniences, and pleasures of the Warden and his family. The streets which were repaired are part of the town of Clarksville, and it was not incumbent on the officers of the prison to repair them. That in the front of the prison is used by the contractors and all others having business at the prison, and has been so ever since the prison was erected, but this is the first time the Warden has ever claimed credits for any such repairs. That at the rear of the prison, was never used by those having business at the prison, and was unquestionably repaired, because Col. Shuler wanted the earth taken from it to fill a pond of his, which was near by. But these repairs should not have cost the State more than \$200 in money, the labor having almost all been done by convicts and teams belonging to the State. Col. Shuler's report for 1869 shows that the prison was within a few hundred dollars of being self-sustaining that year, when the average receipts for convict labor was forty-four cents per day for each convict employed on the contracts. In 1873 and 1874 the receipts for convict labor was sixty cents per day for each convict employed on contracts. The difference in the amounts received for convict labor in 1869 and in 1873 and 1874, on the average number of convicts employed on contracts, is about \$14,500 per annum in favor of the last years, yet in 1873 the deficit in paying the expenses of the prison was very large, and in 1874 much larger, amounting to \$16,191. Now take the deficit for 1874, \$16,191, add to that

the greater amount received in 1874 for convict labor, \$14,500, and again add to that the amount appropriated by the Legislature for the use of the prison for that year, \$7,000, and we have the sum of \$37,691, as being the amount, according to Col. Shuler's report, which the prison lacked of being self-sustaining in 1874. Or, in other words, it has cost the State more than \$36,500 more to sustain the prison in 1874 than it did in 1869. But the evidence shows that instead of the deficit in 1874 being \$16,191, it was really \$19,402, and instead of the cost of sustaining the prison in 1874 over that of 1869, being about \$36,500, it was actually more than \$39,700. These figures show enormous misuses of the State's money and property, and a most criminal abuse by the officers of the prison of the confidence reposed in them by the State.

Another fact presented by an examination of Col. Shuler's annual reports, is that they clearly show that the labor of the convicts taken by him for his private purposes, is a direct and very great loss to the State. In 1869 the number of convicts working for the contractors, excluding fifteen women not employed on contracts, was 86½ per cent. of the whole number of the convicts; in 1873 it was 79 per cent. of the whole number; and in 1874 it was 81 per cent. of the whole number, being 7½ per cent. more employed in 1869 than in 1873, and 5½ per cent. more than in 1874. That 5½ per cent. of the convicts would be an average of at least sixteen per day, making a total in dollars which the Warden has kept from the State, by having the convicts employed for himself, instead of by the contractors, in 1874, of at least \$3,000, and a much larger amount in 1873. As a matter of course it is assumed in these calculations that the same number of convicts is employed each year in the kitchen, cell houses, wash houses, hospital, etc., of the prison, and necessarily not employed on the contracts.

The Warden's reports show most remarkable differences in the various years in the accounts for "fuel and lights." In 1869 the expenditure on this account was \$1,991.53; in 1870, \$3,249.31; in 1871, \$3,629.30; in 1872, \$3,263.38; in 1873, \$4,598.83; and in 1874, \$2,167.22. There is no reason why such differences as these should exist. Fire and lights were in all those years required in the same places, and there is no apparent reason why in 1870 the cost of fuel and light should have been \$1,257.58 more than in 1869; in 1871, \$1,637.99 more than in 1869; in 1872, \$1,252.07 more

than in 1869; in 1873, \$2,607.52 more than in 1869; and in 1874, \$155.91, only, more than in 1869. Since 1872 the rate he has paid for gas has been eighteen per cent. less than in 1869, and the fluctuations in the price of coal have not been sufficient to occasion any very great variations in the amounts which would be paid each year for that article. Besides the Warden has put the State to very great expense in erecting steam cooking, heating, and washing apparatus, for the reason, as he claimed, that they would be the means of saving large quantities of fuel; and yet after all these expenditures and improvements have been made, the fuel and light account has every year been greater than in 1869; in 1873 being more than 100 per cent. greater, and for the five years since 1869, aggregating the sum of \$6,911.07. These differences could not possibly have been the results of fluctuations in prices, and can not be accounted for on any principles of economical expenditure and use of the State's money.

Another astonishing and unnecessary expenditure of the State's money, is in the items of attorney fees, and court costs and expenses. From 1856 to 1869 the amount paid by the Warden for such items was \$940.00, and from January 1, 1869 to December 15, 1874, the amount has been \$3,081.65, without considering the amount to be paid to Houk & Tuley, and Jas. K. Marsh, as hereafter detailed.

A very large proportion of the payments were made without the least shadow of legality, and must be considered a wanton waste of the funds of the prison. The vouchers to Houk & Tuley, amounting to \$1,985.65, was principally made in an action of Howard & Reed vs. the Auditor of State, in which the State was the real party, and the officers of the prison may have been personally interested, and for the defence of that interest, should have used their private monies, but officially, they were not concerned or parties, and had no right to pay fees with the money of the people. The sum of \$500.00 was expended to pay the expenses in an action of Platt vs. Kirk, in which the question of which was entitled to be a Director of the Prison was determined. The action concerned only those two; involved more private than public rights and interests; and it was beyond the legitimate powers or duties of the Directors and Warden to pay the expenses of this litigation. In May, 1874, some convicts attempted to escape, and killed one of the guards. It was but right that they should be prosecuted and punished; and it would

be only reasonable that the Prosecuting Attorney of the Criminal Court should be assisted by some one of ability. Col. Shuler and Director Munson say the Governor and Attorney General were consulted, and advised the employment of G. W. Friedley to aid in the prosecution, which was proper; but in addition to his services, those of Houk & Tuley and Jas. K. Marsh have been employed in the prosecution. Friedley has been paid \$600.00 for his services, and it is reasonable to assume that the firm of Houk & Tuley, and Mr. Marsh, will expect equal amounts for their services, which will make the sum of \$1,800.00 expended by the prison in prosecution, which is a much larger sum than was advisable or necessary, and \$1,200.00 of it has been or will be a needless waste. The other fees paid to Houk & Tuley were, to say the least, exorbitant charges for the services performed. The debts of the prison have increased astonishingly since the 15th of December, 1874, the date of Colonel Shuler's last report. According to his report they then amounted to \$16,991.00, which must be considered extraordinarily large, and is without precedent in the history of the prison, when no more than the usual repairs and expenses have been incurred; but the evidence of the Prison Clerk shows that the debts at that time really were as much as \$19,402.00 and possibly greater than that. A statement of the debts at the 1st of February, 1875, was required to be furnished by the Clerk, and that shows that the debts of the prison, at that date, amounted to the enormous sum of \$36,968.63. George B. Cooper, an architect, was employed to superintend improvements and repairs in the prison at an expense of \$1,488.00, which was entirely unnecessary. The work which he planned could have been laid off and executed by any ordinary mechanic, it being anything but complicated, and within the comprehension of any one of medium capacity, and requiring no extra mechanical skill in its execution.

The payments made to Munson, the Director, and Sullivan, the Moral Instructor, were entirely illegal and must have been known to them to be so. Munson says the payment of \$115.00 was not made for official services, gives no further explanation of the matter, and did not regard the practice as being very rare or very wrong. Sullivan says he took \$240.00 because it was given to him. He knew the money was not rightfully the Director's and Warden's to give; knew that it came from funds belonging to the

State ; knew that to take it from the purposes for which the State designed it, was illegal, and knew that it was needed for the purposes for which the law designed it ; but with all this knowledge he took that to which he had no right, from persons to whom it did not belong, excluding the rights of others who were entitled to it, and used it for purposes of personal gratification.

An excessive show of virtue is always a circumstance creating a suspicion of dishonesty in the minds of even ordinarily shrewd men.

It will be observed that your Committee has given Col. Shuler more prominence than the Directors, when alluding to the frauds, peculations, wastes and misappropriations, in the administrations of the affairs of the Prison, but this has only resulted from the fact that he was the executive officer, and in that way directly connected with all of them. In a few instances he acted under the orders of the Board of Directors, and in all, if they performed their duties as required by law, in the examination of his accounts and generally looking after the business of the Prison, they must have been present and consented to his acts. But in all cases, where the acts were illegal, it can not be said that the consent or order of the Directors relieved the Warden of responsibility, as he would then be a participant with them and they with him in such illegal transactions. When the act was illegal he should have refused to execute their orders and they should have refused to approve his doings. Hence, the conclusion is inevitable, that in all these frauds, peculations and misuses of the States' money and property, from January 1, 1869, until the present time, the Directors and Warden have been equally guilty of violations of the public trust and regardless of their official duties and responsibilities. But in many instances the Directors and other officers have participated with him in the results of these illegal acts, and sometimes reaped all the benefits arising therefrom, and in all such their criminality equals or exceeds his.

Whenever public trusts are violated, and public servants shown to have been unfaithful, and unworthy of the confidence of the people, they should be exposed, and visited with the righteous condemning judgments of those having the supervision of their acts, and representing the people, who are always affected and interested; and these judgements should be "as certain as death, and as relentless as the grave;" for otherwise there would be no security for

the people, and the faithless conduct of their servants would result in taxing them beyond their ability to pay, and render them miserable only to benefit those who are preying and fattening on their hard earned acquisitions.

Such, it is shown, has been the faithlessness of the officers of the Indiana State Prison, South, and your committee does not hesitate to invoke the aid of the strong arm of this legislature in ousting all of them from their positions of honor, trust, and much profit, which they have so shamefully abused, and replace them with others who, it is hoped, will be more faithful.

Your committee most respectfully and earnestly present the following recommendations :

First. That A. L. Munson, Director, L. S. Shuler, Warden, A. M. Luke, Deputy Warden, and John W. Sullivan, Moral Instructor, be removed from their respective offices.

Second. That an appropriation, sufficient to relieve the Prison of its presents indebtedness, be made.

Third. That the salaries of the Warden and Deputy Warden be increased, and they deprived of all allowances or perquisites of every kind.

Fourth. That such legal process be resorted to as shall be necessary to recover from any and all of those officers all of their fraudulent and illegal appropriations and peculations from the money and property of the State, including the convict labor, illegally used.

MAHLON HELLER,

Chairman Joint Sub. Com.

F. C. JOHNSON,

THOS. S. BELLOWS,

D. R. LEEPER.

In subscribing my name to the foregoing report, I would state that I do not fully endorse all that is said therein ; but I am entirely convinced, from the evidence taken before the committee, that there have been gross mismanagement in the affairs of the Prison and misappropriations of the funds of the State, and that the public

interests demand an entire change in the responsible officers of the institution. I, therefore, heartily concur in the recommendation that such change be made.

D. R. LEEPER.

TESTIMONY.

EDWARD H. GREEN, being duly sworn, in answer to interrogatories, says:

My name is Edward H. Green; reside in Jeffersonville, Indiana. My official connection with the Indiana Prison, south, commenced October 19, 1871, and terminated December 19, 1874, embracing a period of three years and two months.

I participated in the political canvass of 1872. At the request of Col. Shuler and others, I consented to the use of my name as the Republican candidate for Joint Senator for the counties of Floyd and Clarke. Somewhat early in the canvass, and prior to my participation in it, Col. Shuler, Black and W. Heiskel, then a director, had a consultation in the Warden's office with reference to engaging my services as a speaker. On the same day, Mr. Heiskel communicated to me the result of the consultation, to wit I was to work in the campaign two months, meantime my name was to be dropped from the roll as a guard, and I was to receive from the Republican State Central Committee about the same amount of pay as I received as guard. The day following, Col. Shuler corroborated Heiskel's statement in the premises, and subsequently at the Republican mass meeting at Charleston, Clarke Co., Ind. I met Col. Black, then candidate for reporter of the Supreme Court, and he told me that in obedience to the understanding had with Shuler and Heiskel, he had conferred with Col. John W. Foster, chairman of the Republican State Central Committee, and that it was entirely satisfactory to him, and that he would furnish the money. I performed the stipulated services, but never received the money in the manner and form the source agreed upon, but in lieu thereof was paid for the time as a guard signing a voucher to the State therefor. The Clerk paid me by the order of the Warden delivered in my presence. After the canvass was over, I spoke to Shuler about the matter, informing him that I was being pressed for some liabilities incurred during the campaign, and made inquiry as to whether he had received, for me, the promised money. He (Shuler) remarked

that he had received some money from the Central Committee, but that his own expenses in the canvass had been great, and that he would have to arrange my matter otherwise. He, therefore, went to the Clerk and gave the directions as to my payment from the State's funds, as already stated.

I knew Wiley Hale, a convict. He worked awhile under my supervision. He was an afflicted young man, and was of weak mind. I frequently spoke to Shuler in regard to his affliction, and urged that he was scarcely responsible for his acts. I saw Col. Shuler kick Wiley violently on a certain occasion, employing toward him at the same time very harsh and violent language. I was surprised subsequently to see him catted by Shuler's order.

I know Shannon Martin; he was an afflicted man, and considerably demented. On a certain Sabbath I was ordered to clean up the cell house during the religious services in the chapel, and I found him locked up in his cell and the vermin crawling around on the floor. This was unquestionably occasioned by neglect, and the meat that he had thrown down on the floor of his cell. I immediately called the Warden's attention to the matter, and received in reply the expression of a wish that Martin was dead.

Shortly after my connection with the prison, I was placed in charge of a number of convicts and ordered to tear down a brick building generally known as the old store-house, located in close proximity to the western terminus of the building used for a dining-room. The Warden told me that the brick belonged to him, and for me to exercise care so that as few as possible might be broken, and to have them well cleaned as he contemplated using them at once for building purposes. Very early in the year 1874, I think, the brick wall connecting the old female department with the eastern wall of the prison inclosure, was torn down and the brick taken outside, to just where I am unable to positively state.

Mr. Munson, a Director, said to me, not very long after his connection with the prison directory, to-wit: "Green, Shuler is making a good deal of money out of this prison, but if I had the same chance I would make more than he is making. I told him the other day that if he found anything running around loose belonging to the State to put it into his pocket." A few days after this I told Shuler about it. He (Shuler) said that all Munson wanted was to make some money, and that he was not very particular how he made it, or words to that effect.

At the request of Colonel Shuler I procured permission from the

Board of Trustees of the town of Ohio Falls for him (Shuler) to grade Clarke Avenue. Shuler desired the dirt for the purpose of filling up a pond that he had purchased, situate near the prison. At that time, 1873, the Board of Trustees of Ohio Falls town was composed of John Rauschenberger, W. F. Carr, (a guard at the prison,) Eli Phelps, John E. Stiles, and George W. Stiles. In the process of grading and filling up the pond several convicts were used and the State team. After the pond was filled up, surveyed and mapped, he wished me to assist him in selling the lots. He asked \$10 per foot front. In looking at the map I inquired who had made it, and Shuler said Cooper. He showed me another map made by Cooper of a piece of ground he contemplated purchasing in the vicinity of Claysburg, a little suburban settlement of Jeffersonville.

He used convict servants about his house and in feeding his stock. I have seen as many as twelve or fifteen noted on the slate as outside and trustys. Several convicts escaped while I was a guard at the prison, some of them trustys at the warden's house. Have known guards on duty in a state of intoxication. A short time before my connection with the prison was severed, the Deputy Warden directed me to go immediately to the Tower, occupied by Henry C. Ferguson, a guard, and remain there long enough for him to get sufficiently sobered to be capable of attending to his duty. The Deputy added that Ferguson was dead drunk and that one Curtis, not in the employ of the State, had been in Ferguson's tower watching the walls. I immediately obeyed; found Ferguson washing his face, as yet quite under the influence of liquor. I talked with him a while, and concluded that if he would keep awake he would be safe in watching the wall. I so reported to the Deputy Warden and was ordered to my shop. He (Ferguson) is still a guard. Have seen the same guard in the cell house on duty in a state of intoxication.

I guarded two convicts while they were laying down a brick walk around one of Colonel Shuler's private houses.

I have obtained provisions from the prison, having them charged, for which I subsequently paid. Employees of the Southwestern Car Company have been furnished provisions out of the State provision store. In September last, I got a barrel of flour at the prison, of the Carthage brand. A few days thereafter, W. F. Carr, a guard, told me he had obtained an order from the prison on the Ohio Falls

Mill for a barrel, and that the price was \$6.50. I paid \$8.25 for mine.

I know the Warden used State supplies at his house, for he told me that he did not keep a memorandum of what he thus got, but that he lumped it.

The Warden proposed to me to go into the grocery business, the profits to be equally divided. He said he would build a store house immediately in front of the prison, if he could purchase the ground, and put into it fifteen hundred dollars in goods, and that he could purchase most of the important articles when he purchased the prison supplies, and that if anything was likely or about to spoil on my hands that he would turn it over to the State and use it in the prison.

I have seen the State team hauling out the debris of the Southwestern Car Works.

I saw Capt. Kills, a convict, catted. Shuler afterwards told me that Kills had been unjustly punished, and that he (Shuler) had apologized to him (Kills) for it.

I know Reddy, a convict; heard that he was severely catted, and knew that he was confined in a dungeon cell for a long time, precisely how long I am unable to state. Saw him when he was turned loose from the cell, and he was very pale and weak. He was really a pitiable object. The foreman would not allow him to go to work, but let the guard take his time the same as if at work. The foreman told me that Reddy was not able to work, and that he did not have the heart to have him attempt it.

Col. Shuler at times is excessively kind and forbearing. At other times he is on the other extreme. Generally speaking his treatment of the prisoners is humane, but there are times when he seems to be petulant, easily excited, and then his treatment of convicts, both in utterances and otherwise, is rough and severe.

The old warehouse, located in the southwest corner of the outside prison inclosure, was torn down by prisoners superintended by guards. This was, I think, in the fall of 1873.

EDWARD H. GREEN.

WILLIAM H. MOORE, being duly sworn, says:

My name is William H. Moore. I live in Ohio Falls, continuation of 7th street, and am an employee of the Southwestern Car Company; have been about the Prison since June 10, 1872. The Car Company employs a different number of men at different times.

Before the panic the Car Company had a few free men at work there. I live in one of Col. Shuler's houses, situate on or near the site of the pond lot, continuation of 7th street. The Company have some men at work in the lumber yard. No outside labor employed but foreman.

W. H. MOORE.

JOSEPH K. REAGAN, being duly sworn, on his oath says:

My name is Joseph K. Reagan, reside at Jeffersonville, Clarke county, Indiana. I am a guard at the Prison, South; have been there over five years. I have seen some convicts working on the street, and filling up the pond; can not say how many I have seen at any one time; some driving teams, some shoveling and some leveling the street. There is a store house in the Prison. I have bought coffee, meat, potatoes, coal and flour at the Prison store. There are a good many cows there. I had charge of the men who tore down the Prison wall; the brick were cleaned and hauled out on the Prison pond lot, where the five houses are built. The Prison wall was thirty feet long, about twenty-five feet high and about thirty inches thick. Some new brick were hauled in after the wall was torn down, but I do not know what they were used for. [In regard to the discipline of the Prison, the witness wished to be excused from answering the question, and gave for reason "a diversity of opinion on that question." Excused.]

I had charge of James Ready when he was locked in his cell, and confined some twenty days. Forshea told me that Gulliver, a convict, had struck him. I took Gulliver to the office, who talked to him (Gulliver) very kindly, indeed, and then sent him back to his work. I know of a sutler shop in the Prison; the convicts get refreshments there every day. I know the big warehouse was torn down. I do not know how long Sullivan, a convict, has been locked in his cell. If he, Sullivan, has been confined in his cell, since he was first put in, he has been confined over thirty days. I know Ferguson, a guard; have seen him *tight, but not drunk*. He, Ferguson, has been there about six years. I know the team belonging to the State, the big mule team, used for hauling debris out of yard, and for plowing garden, etc. I know of some old brick taken out of the wall, were used inside of Prison for use of pavements.

J. K. REAGAN.

WILLIAM SAMPLE, being duly sworn, says :

My name is William Sample. I reside in Louisville, Kentucky. The Car Company made a verbal contract with Colonel Shuler at one hundred and twenty-five dollars (\$125.00) per month to haul all the debris from the Car Company's grounds. This contract was made three years ago with Shuler. The Car Company also has a contract with Colonel Shuler for hauling the lumber from the outside into the enclosure of the Car Company's works, at two hundred dollars (\$200.00) per annum.

WILLIAM SAMPLE.

JOHN R. CROFFORD, being sworn, says :

My name is John R. Crofford, reside at Jeffersonville, Clark county, Indiana, and am employed by the Car Company. Think the convicts are treated very well. I work about twelve of them. They are clothed very comfortably. I am foreman for the Car Company. I have bought a little meat and one barrel of flour at the Prison. Somebody told me I could get meat of Shuler. I was working for him then ; do not know the brand of flour ; paid \$6.25 for the flour. I bought two dollars worth of meat. I got nothing but the flour and meat. Have seen prisoners at work on the fences with Black about Shuler's houses. The provisions were in part payment for my labor. The frame work of Shuler's houses was from an old warehnuse, torn down, (Hall, Moore, & Burkhart's warehouse). The brick was hauled then by the team known as the State team.

JOHN R. ^{his} ~~X~~ CROFFORD.
mark.

THOMAS H. DONOHUE, being duly sworn, says :

My name is Thomas H. Donohue ; live in Jeffersonville, Indiana. I was teamster about six months in the year 1873. I drove Col. Shuler's team ; I was hauling everything the Car Company had to haul ; I was in the State stable ; Pat. Haley had charge of the State stable. Three convicts were about the State stable. Some cows were kept in the State stable. My impression always was the cows belonged to the State. Have seen the cows, horses, etc., fed often ; their food came from one crib. I am guarding at the prison

now. The only team I know as the State team is the big mule team driven by Alden. I have seen convicts working on the lower end of the road.

THOMAS H. DONOHUE.

THOMAS TAYLOR, being duly sworn, says :

My name is Thomas Taylor ; reside at Jeffersonville, Indiana. I am a butcher. The offal of a beef is the entrails, liver, head, feet, lungs and lights. This is my understanding. I think the hide and tallow would bring more per pound than the beef would at wholesale per pound. I consider the offal of the sheep the same as the offal of beef. After a certain time in the year when the wool is on, the sheep skin is worth more than the whole sheep, an average run of sheep.

THOMAS TAYLOR.

JNO. W. FRANK being duly sworn, says :

My name is John W. Frank ; reside at Jeffersonville, Indiana. My business is that of a butcher. The offal is termed the intestines, the fat from the intestines, the liver, tongue, head and feet. What we call the hide is the fifth quarter of the beef. The hides have generally brought me more per pound than the beef per pound at wholesale. I have had sheep that the skins would bring me more than the whole sheep.

JNO. W. FRANK.

CHALES ALDEN, being sworn, says :

My name is Charles Alden. I live in Jeffersonville, Indiana. My occupation is a teamster ; drive the State team at the Prison ; been driving nine months. I heard the State owned the two big mules that I drive, and the sorrel horse. Four mules and four horses are kept in the stable. Twelve or fourteen cows are kept in the same stable. There are six calves and four sheep in that stable. The stock here mentioned are fed from one common crib, and have been so fed since I have been there. I have heard it said that Col. Shuler owned the stock. Suppose twenty-five or thirty hogs are kept there. The corn for the hogs comes from the stable, and the offal from the kitchen. Have seen beef cattle fed there. Three convicts are employed in the stable to assist me. A free man drives

the carriage. I haul out the debris from the car works with the State team. The mule belongs to the State, and hauls the lumber into the Car Company's yard; is kept at the stable, and is driven by a convict. I have hauled grease and hides to Louisville with the State team, the hides to John White & Co., the grease to Cornwall and Bro. Have hauled two or three or three or four loads of grease to Louisville. Have hauled two loads of hides to Louisville. Colonel Shuler's horses and mules are shod at the Prison by Forshaa. Colonel Shuler has two mules and three horses of his own. The grease was in the Prison kitchen when I loaded it. The hides came from the Prison slaughter house. I would haul from twelve to fourteen barrels of grease each load. I got \$50.00 per month, (fifty dollars.) I do not get all my pay in money. Have received three or four barrels of flour in pay. Got two barrels Carthage flour at \$8.00, the other flour at \$6.25 or \$6.50, and it was better flour than the Carthage flour. The Carthage flour was wormy. Got some hams, they were good as any I ever ate in my life. Also, got coffee. The article came from the Prison store house. Got coal, some four or five loads. The carriage is used by the Colonel and his family. *I heard it said that the sorrel horse belonged to the State.* It is the general understanding. I have seen Mr. Hill and Mr. Munson in the carriage.

C. ALDEN.

JOHN N. INGRAM, being sworn, says:

My name is John N. Ingram; reside in Jeffersonville, Indiana. By occupation a tanner. I have bought hides of Shuler since he has been Warden of the Prison; can not say when I commenced buying hides of Shuler. From the first of July, 1869, to December, 1869, I bought one hundred and three beef hides, amounting to about \$550. In 1870 I bought about one hundred and forty-five hides (beef) amounting to about \$650; bought four or five calf hides, or skins. In 1871 I bought about thirty-five hides, amounting to \$300. I do not know where he, Shuler, has been selling hides since 1871.

J. N. INGRAM.

F. M. LOWRY, being duly sworn, says:

My name is F. M. Lowry; reside at Louisville, Ky.; am book-keeper and clerk for Cornwall & Bro. of Louisville. The accounts

herewith presented, and taken from our books, are correct and true, and the dealing with Shuler and Cornwall & Bros. from March 29, 1871, to December 15, 1874, for grease, amounting to the sum of thirty-two hundred and ten dollars and seventy-eight cents, (\$3,210.78.)

F. M. LOWRY.

WILLIAM H. KING, being duly sworn, says :

My name is William H. King; live in Louisville, Ky. I was employed last winter one year ago—winter of 1873—by Shuler. I drove the State team about one-half of the time I was teaming at the prison. I hauled all the brick we could find inside the prison to Shuler's house on the pond lot. We hauled to the carriage house from Herr & Lutz. I took this lime from the carriage house to Shuler's house myself. I was there when the old warehouse was torn down. I hauled lumber and brick, with the assistance of convicts, to the lots on the pond. The prisoners were the only men who done the work around them, with the exception of Black, and one free man that worked about three weeks. When at the stable working, three, and sometimes four convicts would assist me. One convict slept all the time in the stable. When we fed the hogs with corn, I got it from the stable. I fed Shuler's stock from the same corn; twelve to fifteen cows were kept at the stable, and fed from same corn and hay from which the State teams were fed. A. M. Luke, a Deputy Warden, had a cow there, and was fed as the other stock. Fed corn to the hogs about twice a week, then some 40 or 45 hogs there. One convict made his escape while working on the houses, and has not been captured. There was a carriage, buggy and spring wagon at the stable. The family of Shuler, or anybody that wanted to ride, would use the carriage. Governor Hendricks rode once in the carriage from the depot. While I was there, the carriage was used constantly every day. There were five or six calves, and a bull, and fine cattle, for sale, and he, Shuler, sold some. There is a room at the stable with a stove in; on wet days the prisoners would stay about the stable. They would not work in the rain. A German by the name of John was gardener. He (John) would do nothing in winter but attend to the green-house, and keep up fires. Convicts would help him to do the work in the garden in the spring, and would go to market in the mornings in the buggy to get marketing for Shuler's family. I hauled nails from

Listen to the carriage house. I got Listen's bill for the nails, which showed the nails were charged to the State. Some of the nails went from the carriage house to the buildings on the pond. I saw the convicts carry them there. I got \$40.00 per month; took my pay partly in trade—got meat, flour, sugar and coffee. These articles came out of the store-house inside of prison. I think I got \$55.00 in money for my work in the six months. I worked for Shuler a most of the time. When we settled up, I signed a voucher for the balance coming to me. I lived in Shuler's house. I can not say how long I worked for the State. Hauled pretty much all the lumber from Barmour ship yard to these five houses on the pond. I hauled some lumber from R. R. Glover & Co.—sash and flooring. The barn I had charge of belong to the State. I took care of the stock in the stable.

WILLIAM H. KING.

JOHN W. SULLIVAN, being duly sworn, says:

My name is John W. Sullivan; am the Chaplain of the Southern Prison, at Jeffersonville, Ind. I know the book spoken of; the book was written by Youngman, a convict; he commenced writing the book before Shular became Warden. Soon after Col. Shuler took charge of the Prison he (Youngman) was appointed as my assistant in the Library; he brought all his manuscript with him and had perfect liberty to write when not engaged in his duties of distributing books to the prisoners. It was not my special request that Youngman was appointed, but the appointment met with my approval, owing to his competency. I did not assist him in writing the book—not one word; and so far as reference is made to acts done while I was there, they are true; I mean so far as the printed book conformed to the manuscript. I refrained from reporting the condition of affairs believing it my duty not to report them. Youngman got access to the records of the Prison by the consent of the Warden. I do not consider the sanitary condition good. I have passed cells during day and night, in summer, and would find convicts in a nude state and panting for breath. I do not think the Cell House is a fit place to confine prisoners. I think the pond was filled up in the fall of 1873. I attended the Prison Congress at St. Louis at the expense of the State. I attended the meeting in London, receiving my salary, with an additional sum of two hundred dollars from the State. I can not perceive of any benefit the State

has derived from my visit to London. As an officer of the Prison I confine myself wholly to my department; that the moral condition of the Prison is vastly improved since I have been there. Flowers are not furnished to the prisoners from the State greenhouse; sometimes a bouquet is sent to the Hospital. The Visitors' Fund is appropriated to the Library and Sunday School; every cent of it is spent for the benefit of the Library and Chapel. I have bought some articles with that fund, some brooms, for instance. I have not seen any book case in the Library of the Prison. I devote all my time to the moral condition of the prisoners, and think the moral condition of the Prison, at this time, better than I have known it in fourteen years. There is one Guard whom I had suspected of being intoxicated, and I have been informed that such was the fact; the name of the guard is Henry Furguson. Col. Shuler's treatment of the prisoners is humane; he is very kind, but lacks a little firmness. I do not know of any unkindness towards the prisoners. I remember Hale, an imbecile, would give the officers a vast deal of trouble. I had never heard of Shuler's unkind treatment to Hale until I saw it published here. I have never felt it my duty to interfere with other officers. My printed report of 1868 is correct. I know the yards are not as clean about the Prison as they were before the introduction of the Car Works. Doctor Beckwith kept the Prison better policed and everything cleaner about the Prison than for twenty years past. I got one or two pairs of boots made in the Prison; I furnished the materials myself; would pay for the work seventy-five cents or one dollar.

JNO. W. SULLIVAN.

W. E. LISTON, being duly sworn, says:

My name is Wm. E. Liston; reside at Jeffersonville, Indiana. I am a hardware merchant. I have sold hardware to the State prison in 1872 and 1873, and also to Col. Shuler. I kept a separate account with Shuler and the State. While Shuler was building his houses, I furnished him nails, shelving, hardware and guttering and spouting, amounting to about \$500.00. I did not render any bills at the time; it was not customary to do so. I do not know Henry King. I have no recollection of furnishing any bills, because it is a thing I never did. I have not delivered either to Shuler or the State four kegs of nails at any one time. I know E. H. Green. I have heard much said about him. I can't say as regard to his repu-

tation for truth and veracity. I know little of his character personally, only what I have heard said, and if all is true what is said about him, it is not good. I know that E. H. Green was a candidate for joint Senator for the counties of Floyd and Clarke, in 1872, on the Republican ticket. When the State of Indiana wanted goods, I gave them on verbal and written orders, both. I have no recollection of letting the State of Indiana have anything on a written or verbal order. Never gave any tickets. Joel Black would generally buy whatever was wanted for the State, or for Col. Shuler. I would take Black's word for the articles the State wanted, and also his word for what Shuler wanted.

I have a due bill against the State for between seven and eight hundred dollars, executed some time in January, 1875.

WM. E. LISTON.

JAMES B. MERIWEATHER, being duly sworn, says:

My name is James B. Meriweather; reside at Jeffersonville, Indiana. I ceased to be Warden of the prison on the 31st day of December, 1868. The prison was self-sustaining during that year. There was an appropriation of \$5,000 for 1868. On the 31st December, 1868, John S. Hall allowed me a draft on the treasury for \$2,255, in favor of Hall, Sample & Co. for an extension of the trip-hammer shop. That extension was made on a contract with me that they should put the building up, and at the expiration of their contract, the building, without the furnace and fixtures, appraised and paid for by the State. That contract expired in 1871 or 1872. Another draft of \$2,500 in 1869, (February,) Col. Shuler drew on the Treasurer of State.

While I was Warden the State owned three horses, one large draft wagon, small spring wagon and a cart. The State did not furnish any carriages, horses, etc., for the Warden and his family. I furnished the Warden's house myself. I took the offal from the kitchen for perquisites, except the grease; I had the brand from the siftings of the corn meal. Nothing was furnished me at the expense of the State. I had one horse which was partly used by the State, and the State fed him. The stable was built in 1867, stable room for six or eight horses, carriage house, corn crib, hay loft and bin for oats up stairs. My recollection of the cost was \$730 (dollars.) The fence round the garden was built in 1867, in the spring; the posts of cedar, with paling four inches wide; the materials were

good, first class; an allowance of \$104.15 was made me by the Directors for the time I was Warden, from December 15, 1867, to January 1, 1869. I do not remember of having any other allowance for anything during the time I was Warden.

I advertised in the Louisville, New Albany and Jeffersonville papers for bids, to furnish meat for the prison by six months' contract let to the lowest bidder, with bond. Everything that was taken out of the prison for my use, I kept in a pass book, and the guard at the prison kept a pass book, and at the end of each month, the books were taken to the clerk, and the money paid to him, and credited to the provision account. When the guards wanted any supplies, he would go to the clerk and get an order on the guard at the kitchen, and be paid at pay day, the amount gotten being deducted from his monthly pay—and was credited to provision account.

The street in front of the prison was fixed last year. I was not furnished with any flower pots, plants, nor green house. The Legislature of 1867 appropriated \$5,000. \$4,000 of this amount was used for building shop east, and outside of prison walls. The average pay for convict labor was within a fraction of forty-four cents per day. The prison was, in 1867, within \$1,000 of self-sustaining, and in 1868, was self-sustaining. In saying that the prison was self-sustaining within \$1,000, 1867, I do mean that included the \$4,000 expended for building new shops.

In 1867 provisions were about forty per cent. higher than for the past two years. In 1868, was from twenty to twenty-five per cent. higher than the past two years. About clothing, I can not say. The price of wool governs the price of clothing. I paid day guards sixty dollars per month; and night guards, sixty-five dollars per month. The officers were all paid from the earnings of the prison with the exception of the Warden and the Chaplain. I am not certain I paid any attorney fees while Warden. It would not require the team one half of the time to keep the yard clean, when I was Warden, the cart being used for that purpose.

[Signed]

JAS. B. MERIWEATHER.

JAS. B. MERIWEATHER, was recalled at his own request, and made the following statement, to-wit:

There was a sewer which carried the offal and the contents and also carried the waterfal and the contents of the privy to the creek

northwest of the prison. Some parties through whose ground the sewer passed threatened to close it up. I brought suit enjoining them from doing so—and paid attorney fees to the amount of forty dollars or thereabouts.

JAS. B. MERIWEATHER.

MICHAL WHALAND, being sworn, says:

My name is Michal Whaland; am a resident of Jeffersonville, Indiana; occupation that of a guard at the Prison; been such since the 26th day of August, 1868. Col. Shuler became Warden in 1869. It was not customary before Shuler became Warden, to work convicts outside. There has been quite a large number working outside. In looking over the slate at one time, I saw the names of twenty-two convicts working outside. The most of them were busy in the Warden's yard; they were at work there. I know the pond was filled up; convicts were at work there. I saw them (the convicts) grading the street in front of the graveyard, Clarkville avenue, from the New Albany branch of the Jeffersonville Railroad up to the O. & M. fill. I saw convicts working on the five buildings situate on the pond lot belonoing to Shuler. While they were working, several escaped. Sherman made his escape; also, Moses Fornshell made his escape while working out. Sherman was never captured. Five hundred dollars reward was offered for him, so I was told by a detective in Louisville. Fornshell was captured in the northern part of the State, and the Deputy Warden went after him. They were termed "trusties" when let out to work. These men were not guarded when they escaped. They were working in the interest of Shuler. I think it is loose discipline to have so many men at work outside without being guarded, and I think it loose discipline to have many men at work inside without being guarded. The convicts are *catted* for bad conduct. I think they are not always catted when they should. The Warden, when he felt like it would cat a convict. I have heard the Warden use profane language before a prisoner. I have not seen prisoners excessively punished; have not heard the Warden use obscene language before the prisoners. I have heard the Warden threaten Jack Sullivan with death, and that he ought to have killed him. This was immediately after Rudifer's escape. In the morning the Warden came and asked me where Sullivan was; that he was in the mob; told me to watch for him, he was hid. When he

came out I took him up to the Warden's office, it was then he made the threats, and said he would kill him; that he had made much trouble; did not eat him; said he would make him weaken; threatened to beat him, but did not. The name of the convict who wrote that book was Youngman. The book was styled, "Prison Life by One who has been There;" could not say when he wrote it. Part of the book was written in the cell, and part in the chapel. I canvassed for the work about two months in the fall of 1871, in Clarke county, New Albany, and Louisville, Kentucky. I was away from the Prison six weeks or two months and received no pay from the State for this time. I bought the book of the publisher. Col. Shuler did not assist me. The Chaplain of the Prison recommended the book. The object of the book was to make money. The Governor of Indiana endorsed the book. Mr. Coffin, of Richmond, also endorsed the book. The prisoners have the right to correspond with anyone outside, if they do not violate the Prison rules. I can not say who assisted Youngman in his negotiation with the publisher. When I returned, the Colonel took me back as guard; do not know of any canvassing for the book but myself; no one assisted me; was at the Prison frequently, and was asked how I was getting along with the book. Col. Shuler and the Chaplain would ask me. I was away six weeks in the fall of 1872 canvassing for the Sheriffalty of Clarke county. I received my pay from the State as guard while I was making the canvass for Sheriff. I canvassed with Green a few days; he made speeches. Green was also a guard when he was making stump speeches. We were in all the townships of Clarke county except Wood township.

My name was on the pay roll while making this canvass; was getting \$60.00 per month. Green and myself were the only guards out making a canvass. Green was returned as guard after getting through. He was a candidate for joint senator for the counties of Clarke and Floyd. I was a Republican candidate on the Republican ticket, and was the Republican candidate for sheriff. I do not [know] any thing about the suttlership now. Before Christmas Mr. Gilpin was running it. Since Gilpin has quit, the Hospital Steward runs it. Four hundred and twenty-seven (427) convicts are now in the prison. I do not know what the suttlership would be worth. When the convicts were making overwork it was worth having. Ike Brinkworth was running the suttlership, and was on the pay roll at \$60.00 per month as Hospital Steward, and the Warden's clerk paid him fifteen dollars per month extra for attending to the

suttlership; this was the general talk. I do not know he got any thing. Sullivan ran into a cell after the Warden cursed him, and has been in ever since. This was three or four weeks ago. I think he has a ball and chain on him; he is still in the cell; his rations have not been cut off. There has been no buildings put up inside of the prison wall within two years past. I was back and forth to the prison while canvassing for sheriff. I got \$60 less \$15. I lived in the Colonel's house. Sometimes when I signed a voucher I only got \$25 or \$35, the difference would be for provisions and house rent. The flour I got was branded Henley, Aydelotte & Co., and I paid \$8.00 per barrel. The same kind of flour was sold for \$6.25. I got some hams—some were good and others were not. I got 300 or 400 pounds, one fourth was bad and was thrown in the soap grease. The batch of hams lasted five or six weeks. The prisoners grumbled—they will sometimes grumble at any thing—they would grumble about the bread. Do not know of any employee getting any provisions. Before Forsha, no blacksmith was employed by the Warden. Forsha has been at work on bed sheds, pipes, etc. Before Forsha, a convict would tinker around and do the work. A convict would be a bad hand to repair locks. I do not know how Rudifer got out; he was locked up, so it was rumored. There was never a gardener employed. The guard would take convicts out and work them in the garden. Sometimes trustees would work the garden, and not guarded. Col. Shuler was the only Warden who carried a gardener on the pay roll.

The convicts' clothing was changed last September to citizens' dress. I think this is injurious to prison discipline. The prisoners are not unguarded inside. Sometime I would bring up a man who had violated the rules and he was catted; and sometimes I would bring men up for offences committed, and he would not chastise them. The Warden is not in the habit of using profane language to prisoners.

The Warden told me after the election was over, that as I had done a good deal of extra services, my wages would go on. This was after I had been canvassing for the office of sheriff. I do not know the voucher stated on its face *extra service*. I think I was employed one-half of the time in the Prison during my canvass. The old brick that was taken out of the old store-house west of the dining room, I was told, were put in three cottage houses down on the railroad, belonging to Shuler. I saw them hauled there. Rudifer has cost the State \$800 reward. I never made any repairs on

Prison, and never signed any vouchers that should be charged to repairs on Prison. One Martin was taken out of the Prison by a guard at night to paint Col. Shuler's fence and escaped, and he has never been recaptured. The reward of \$50 was offered, this being the customary reward.

M. WHALAND.

SIMEON BERRY, being duly sworn, says:

My name is Simeon Berry; reside at Jeffersonville, Indiana. I helped Boyle in the contract. We were partners in the job. I bought coffee of Shuler two or three times, about a half-dollar's worth at each time. A cellar was under the two-story house, and dug by free labor. I have seen more than a half dozen convicts at work at one time about these houses. I was at work about three months, and convict labor was employed there all the time I was at work. We presented our bills to Shuler and he paid: paid us in money and groceries. The flour and meat came from Shuler's house. This was in March, April and May, 1874. We got pretty much all the provisions we used. The pond owned by Shuler before filled up was worth little or nothing. I should think it is worth \$600.00 or \$700.00 after filled. These lots were filled up almost entirely by convict labor. The teams I took to be State teams. He was at work some time; there were fills in said pond of six or seven feet deep. The ground is now fenced in, and the same ground Boyle and myself built the three houses on. I have no knowledge of any building being put up inside the Prison walls in the past two years. I live close by, and if any thing of the kind was being done, I would have known it. I do not know of any roofing being done within that time. I do not know of any improvements being done within that time. I do not think that any buildings could be put up without my knowing it. [Here this witness corroborates the testimony of that of Boyle.]

Warren and Hawkee, two convicts, were as good carpenters as I would want about a building. Last winter two years ago, Mr. Black employed me inside the prison, and left me there all winter. He gave me \$2.25 per day, and after he left me, to work with another, I got \$2.50 while I was at work in the Prison. Black told me he was getting as low as \$3.50 per day and as high as \$4.00 per day for his, Black's, services. When Black was working on Shuler's houses he told me the same, that he was getting from \$3.50

to \$4.00. The dirt for filling up Shuler's lot was taken from the Prison, from the street and car shops. I do not know of any person being at any expense for the street improvements. The street extended the whole length of Shuler's lot, and beyond the lands owned by the State.

SIMEON BERRY.

G. W. FORSHEA, sworn, says :

My name is G. W. Forshea ; am a resident of Jeffersonville, Ind. I have known a sutler shop connected with the State Prison ; they sell tobacco, turkeys, ginger-cakes, cake, water melons, coal oil ; sell coal oil to Prison. When Bob Forsythe was there it paid pretty well ; I believe he got his stock down town. I do most everything ; I am a blacksmith ; work for the State of Indiana ; been at work since the 1st day of last April. Have not seen any money since the 25th of last December ; have had no money scarcely ; got flour from the Prison ; got four loads of coal at the Penitentiary this winter ; several barrels flour there at \$8.25 per barrel. In the spring of 1872, prisoners broke out of the shops ; out about twenty minutes ; were taken back ; catted. When Hall, Moore & Burkhardt had charge of shops, had not room ; without windows was very hot ; impossible for any one to work. Afterwards two windows were made in the south end, with iron bars wide apart, and ventilation over head. In this shop we had many prisoners. One morning I was requested to look after them, in the absence of the guard ; Lusk and Elkins, the leaders, sharpened bars ; negro told me something wrong up there ; I looked up and saw them making their escape. I started and ran about twenty-five feet of them ; I started up and was told not to go up ; I ran out, gave the alarm, and in twenty minutes they were all captured, taken back to Prison and catted, as above stated. I know of Shuler building fourteen houses ; had one convict working. I had one man to help me fix pipe ; have no one now. The Colonel has two mules and a horse ; the State three horses and three mules, and these are shod in my blacksmith shop. I do outside work for Strange Long ; shoe his horse and fix his wagon I do no other work only for Col. Millard. When I do this outside work I give the amounts to the Clerk. I did some work for Salveter, a contractor. Always gave account to the Clerk. I did a two dollar job for the S. W. Car Co. ; gave amount to Clerk. The State pays

me. State furnished iron for work I did for Long. I charged to Col. Shuler for shoeing three horses. I work for Dillinger and the State paid for it. The wagon I ironed belongs to Salveter; I have rendered no account, for that Salveter furnished iron. I have been employed there since last October a year ago. I have done a good deal of work on the lock of cells; never can be made in good order; the locks are bad; fifty locks now want fixing. I would not give a d—d cent for the use of the sutler shop. I get paid by the day. Some parts of the work could be done by the prisoners.

I left two years last May and returned a year ago last October. There was very little filling done last summer. I know Warner, a carpenter, worked there in Shuler's house—I can not say how many convicts worked on the buildings of Shuler's. The house by the stable I was in; saw no convicts working in there—I can not say when the warehouse was torn down—think it was torn down last summer a year ago. Saw prisoners cleaning the brick and taking them out and were hauled outside by the State teams—think many of the brick were used in the dry house. Colonel Shuler has an old buggy and carriage. I do work and keep them in repairs. I do not know how many carriages the State owns; I did not iron the new wagon—I have not seen any brick hauled in them unless to repair something inside. Never have been any new buildings put up inside since I have been there—I have no idea what has been done inside on repairs. It is worth two hundred and fifty dollars per month to keep up repairs in the prison including my labor at four dollars, with assistant of convict and materials. This work includes horse shoeing, lock work and fixing bedsteads. I got one hundred and four dollars per month—I don't know how much Shuler owes me. He paid me but little cash. He paid me at the grocery store of Holmes & Thias, in order on them, Holmes & Thias, and Grif. Ogden. I had orders on Rosenthal, the clothing store—I got coffee, flour, potatoes and coal, out of prison store. I do not know how much the State owes me. I took order on Grif. Ogden to nearly \$1,285.00. I think there ought to be coming to me two hundred and fifty dollars. I commenced putting the steam pipe in August, 1874; but one helper. We worked at it about a month and then another convict worked a month; I wound up the thing in October, 1874, doing other work. Much of this work was done by convict labor. I was only paid for two months labor putting in steam pipe. I am in the cell house every day. The prisoners are treated better than any place I have ever seen. The grub is good

enough for anybody; I do not know what Sullivan is in the cell for. Shuler bought 2,000 or 2,500 hams last summer; a butcher near by would cut the spoiled part off and give the best to the prison. I got six of these hams; some of the hams went to the guard, most all of them was fed to the prisoners. The bed clothes are washed every two or three months—I do not know of Colonel Shuler selling any provisions to any employe of the Car Company works.

G. W. FORSHEA.

FRANK H. DUESLER, being duly sworn, says:

My name is Frank H. Duesler; reside at Jeffersonville, Indiana. Am employed by the Southwestern Car Company. I know about a contract between the Car Company and Shuler for moving the debris from the grounds of the Car Company's works, the Car Company paying Shuler \$1,500 for such work. I do not know whether Shuler performed the work with the convict labor or not. I think there is a written contract between the Car Company and Shuler to move the debris. I do not know of any difficulty between the Car Company and the Deputy Warden. Shuler keeps the debris away. I think there is another agreement between the Car Company and Shuler for hauling lumber to the Car Company's grounds.

FRANK H. DUESLER.

JOHN R. THOMPSON, being duly sworn, says:

My name is John R. Thompson. Reside in Jeffersonville, Indiana. I worked at the prison a year ago for Col. Shuler on frame houses. I worked for Foster, the contractor. All the brick I saw worked were old brick that came from the prison. I saw them hauled from the prison. Can not say how many—some ten or fifteen thousand. Saw convicts working leveling grounds and doing other work. These five houses were on the pond lot owned by Shuler. All the brick were old, except in the large frame house. About 800 new brick were used in this. Shuler let me have a man to tend me, but he did not stay long; he left and has never been captured; I don't recollect his name. This was in April, 1874. Convicts graded all the streets around Col. Shuler's property. State team hauled the dirt. Seen convicts building fences around the house. I do not live in Col. Shuler's house. Foster gave me an

order on Shuler for my money he had worked for, and he, Shuler, wanted me to take flour for pay. Houses sixteen by forty-eight, and foundation three feet high.

JOHN R. THOMPSON

JONAS HOWARD, JR., being duly sworn, says :

My name is Jonas Howard, JR.; reside in Jeffersonville, Ind. I was at work on the houses of Col. Shuler—one double tenement house belonging to Shuler in 1871. I saw eight or ten convicts, working around the house; two of these men were laying brick. Father furnished the lime, and Shuler the sand for the house we did last spring. There were also prisoners working on the five houses last spring. These houses are owned by Col. Shuler. I saw last spring four or five convicts at work—had convicts painting the fences about the houses. Shuler used the State teams driven by convicts. Shuler's team was driven by a convict. He (Shuler) claimed one of the teams; they were mighty fine horses.

JONAS HOWARD, JR.

HENRY R. DIBBLE, being duly sworn, says :

My name is Henry R. Dibble; reside at Jeffersonville, Indiana. Have been at the prison; commenced in April, 1869. In 1873 the *walls* of the prison were repaired, (capped I think) can't say any stone were put in the walls. Am a guard in the wood shop. I have seen prisoners working on the outside under guard; was guarding myself. The prisoners were working in the garden. We had no gardener then; the prisoners doing the work, sometimes a guard would be over them. Mr. Black built the fences about the five houses; had one prisoner with him at work. I have seen prisoners working on the street and driving the teams. I had permission of the Deputy Warden to take Charles Martin, a convict, outside to whitewash a house I was living in and belonging to Col. Shuler, at night, and while at work the prisoner escaped. Martin was not, and has not been captured. I suppose a reward was offered for him. I have seen one man (since this man Martin was taken out) to saw-wood for a guard, and after working hours. I pay \$12.50 per month rent. The amount is taken out my monthly pay. I would like to see the discipline in the prison more strict. I would rather see stripes on the prisoners; would as leave guard without the stripes on as not.

I think with citizens dress it would be more easily for an escape. I have seen no difference in the treatment of the prisoners. I think he is too good to the convicts. I believe there is a saddler shop in the prison. All the prison teams haul the dirt out from the prison and the Southwestern Car Co.'s grounds. A prisoner drove the mule cart, hauling lumber to the Car Company. I sometimes got provisions there; have got flour and meat there; got a barrel of flour there. When the convicts were working in the garden they were guarded. I do not stay in Shuler's house for fear loosing my situation. I have known prisoners *catted* whom I reported for bad conduct; think five were *catted* that I reported.

H. R. DIBBLE.

WM. T. FOSTER, being sworn, says:

My name is Wm. T. Foster; reside in Jeffersonville, Clarke county, Indiana; am not employed at the Prison; am a contractor and builder. I did some small jobs at the Prison; did some work for Shuler; in the last two years have built a bake oven and an addition to dining room of the Warden's house. The oven I built two or three years ago. The addition I built in March, 1874. The brick was mixed, old and new. I put in the addition. The building is of brick. It was to enlarge his (Shuler's) dining room. The above work was all I ever did for the State. I did work last spring for Shuler, individually, foundation of chimneys of five houses on the pond lot. The brick for the work were old principally; part of the brick were on the ground when I went to work. What I saw hauled was done by a convict. I do not know where the brick came from. The five houses were frame. I was there occasionally when the carpenters were at work. I saw a convict grading the ground about the buildings; do not know who painted them. Mr. Shuler got the lime for the work; do not know where he got it from. It came in barrels. I worked by the day, both for Shuler and the State. I made the mortar when I went to work for his private work. One of the houses had a small cellar; some colored men dug the foundation. Have seen a convict driving wagon. John Thompson laid the brick. Mr. Shuler paid for the work. Kirkpatrick also laid brick. I think I signed vouchers for my pay for work on the kitchen. Alexander, a colored free man, slacked the lime. He, Shuler, had privy vaults dug, let the job out. I do not recollect the amount paid for oven and kitchen. In

our private settlement he paid me in part, two barrels of flour. I can not say the price I paid; think in the neighborhood of \$8.00. I can not say that I signed voucher in our last settlement for State work. Do not recollect the brand. He had the flour near his residence on ground belonging to the State. The work was done on the five buildings after I had finished the addition on Warden's house. I can not say that I received pay for the State work prior to the settlement of his private work.

W. T. FOSTER.

JAMES H. LEMON, being duly sworn, says:

My name is James H. Lemon; reside at Jeffersonville, Indiana. I put up four brick cottages for Shuler. The brick were old and new. One of the single cottages were of old brick. The old brick came out of the Prison walls, a part of the upper range of cells. The foundation of the double tenement house was of old brick. Fully one-half of all the brick in the four brick houses were old brick, were worth \$4.00 per thousand. I think there were twenty-five or thirty thousand old brick used in the four houses I built. I used two convicts for laying brick in these houses, and they used all convict labor for mixing mortar, carrying brick, etc. Had six or eight convicts, on an average, at work. Was not required to keep their time. Built houses by the days' work at \$4.00 per day. I had one free man about a week. The convicts worked at painting the houses. One worked at carpenter's work. Convicts cleaned the brick, and were hauled by State team. I asked where I should get the brick; he showed them to me inside. He, Shuler, told me he paid \$3.50 per thousand for them. I can not tell how many old brick there were. I gathered up all the old brick I could find. I was at work about twenty days on them. I think they were built in 1870 and 1871. The cottages were erected east of the Prison. I was at work two or three days on a hot house, (State work) paid by Shuler. I signed a voucher for it. I leveled up and patched walls. I got \$4.00 per day. Two or three days I got \$5.00 per day on the hot house.

I saw convicts working in filling up the pond belonging to Shuler. I think I saw them two or three weeks at work on this job of filling up; some shoveling, some picking, some scraping, and some driving teams. I think State teams were working there. Strange Long was working also. I think it was three or four acres. It

would average three to five feet deep. I think it was worth \$7.00 or \$8.00 per foot immediately after being filled. I think before it was filled it was worth one or two dollars per foot. I got the sand for building the walls inside the Prison walls, and hauled by the State team. I got two loads of sand hauled. For three houses the sand was gotten from the inside of the Prison. The lime I got out of a stable that stood on the State lot. I got the lime from the same place to do State work with that I built the Shuler houses with, and kept no account of either. I do not know of any one keeping a memorandum of lime used. I do not think any one did. It was used the same in private as for State purposes. Jesse Howard & Son did the plastering with free labor. Convicts did the painting of the houses. I do not know of any building having been put up within two years inside the Prison walls.

J. H. LEMON.

JOHN T. BOYLE, being duly sworn, says:

My name is John T. Boyle; reside at Jeffersonville, in the State of Indiana; I built three houses for Shuler last spring; took the contract of Joel Black; two of the houses I built for thirty-five dollars each, and the other for eighty-five dollars. I do not know where the sash were made. I believe they were machine made sash. The frames were made at Black's shop. Shuler paid me for the work done on the houses. I got flour and meat of Shuler, out of his cellar. I bought a spring wagon of him about Christmas, 1874; I think the wagon is worth twenty dollars. There was no agreement about the price of the wagon; have known the wagon some time; have seen it in use; I think this is the same wagon which was used for hauling vegetables from the garden. Two or three convicts helped me to lay the sills; they were able-bodied men and could do as much work as I could. The sills were piled on Shuler's ground. I have seen two convicts working on Shuler's houses helping to shingle. I have seen convicts grading the street; one would spread the sand; before the pond was filled was not worth much, but filling them up made them valuable. Not over one acre squared up. I think I worked one-half day for the State; helped to lay new floor in the prison. The dirt I saw hauled on Shuler's lots was from the foundry, and hauled by convicts. I have seen prisoners working on the street in front of Shuler's houses, and hauling and filling up Shuler's pond. I have seen three or four at work. Black had convicts working about the

fence, privy, etc., belonging to Shuler's houses. The foundation of these houses were made of brick. The siding was new lumber, the framing was old timber. The shingles on one was new, on the other old; the flooring in two of the houses were old, the joists and studding were of old timber. I heard Black say it came out of the old warehouse. I have done no other work but what I have mentioned. I think there was more convict labor employed about the fences, etc. I worked there about three months, and saw prisoners at work during this whole time, about the fences and out-houses. I paid eight cents per pound for pickled pork. Mr. Berry and myself bought a barrel of flour at six dollars of Shuler; got the flour at Shuler's house. The flour made by Henley, Aydelotte & Co., at Carthage, Ind.; this was in April or May, 1874. I got coal from Shuler—twenty-five bushels—and paid the market price. It was Pittsburgh coal.

JOHN T. BOYLE.

JOSEPH K. FAULKNER, being duly sworn, says:

My name is Joseph K. Faulkner; live at Seymour, Indiana. I went to the prison in 1865, as guard; this was in August, and was guard about four months. Then I was foreman in the smith shop, and quit that, and was appointed by Col. Meriweather as Deputy Warden about the fore part of the year 1866, and continued as Deputy Warden during Meriweather's term.

Question—Did the Board of Directors ever appropriate any money for carriages, buggies, horses, furniture, carpets, curtains, etc., for the benefit of the Warden, while you were employed by the State?

Answer—No sir; they did not.

Quest—Were the hides and tallow and grease given to the Warden by the Directors?

Ans—There were no hides; the grease was sold for the benefit of the State. The State did not run a slaughter house. The contract for clothing and provisions were always awarded to the lowest bidder. The State owned no green-house; there never was a gardener employed by the State, and no blacksmith employed. I do not know that any architect was employed while I was there. The slops, and wastes from the table, and the siftings from the corn meal, was all that was considered by the Directors as the offals of the prison. I had general charge of the kitchen. I had charge of the State stores. When guards made purchases, would bring orders

generally ; sometimes would get on verbal order. I would immediately report to the clerk what articles such guard had gotten. Convicts were not permitted to write books during the administration of Warden Meriweather.

J. K. FAULKONER.

LOUIS BYLAND, being duly sworn, says :

My name is Louis Byland ; live in Ohio Falls, Clarke county, Indiana. I know the State team ; Alden drives it ; hauls trash and such ; is now hauling pork ; most of the time the team is hauling trash. I had some work done at the State blacksmith shop ; I have not paid for it yet. Had shoeing done on several horses ; have not settled with the Colonel yet ; Forshea has never had time to settle with me. I commenced having my shoeing done at Colvin's about six weeks ago. I can not say how many horses I have had shod at the State shop. I purchased two pairs of shoes from Shuler, the same kind the convicts use ; paid \$4.00 for the two pair. I told him I would pay for the half soling when he settled with me for the straw I sold him. Strange Long had work done in the State blacksmith shop. Forshea did Long's shoeing, but does not now. I was there when Clarksville Avenue was graded ; saw convicts working there. I saw the dirt scraped off the Avenue and put in the pond. Saw convicts working on Shuler's house (painting) and working around generally. He always had some free labor. I lived adjoining the brick house built by Lemmon for Shuler, and saw convicts working there. I can not recollect how many convicts I saw working there.

his
LOUIS ✕ BYLAND.
mark

WM. R. JOHNSTON, being duly sworn, says :

My name is William R. Johnston ; live in Jeffersonville, Indiana. Am Clerk in the Southwestern Car Company's Works ; kept the time of the contractors' teams. The mule team, driven by a convict named Johns, in 1872. I think it is the same team now driven by Alden, who drives the State team. The team hauled dirt from the yard. In 1871 and 1872 Strange Long and Colonel Shuler's teams were working for the Southwestern Car Company by the day, I think. Shuler had one team working for the Car Company ; think

he received \$4.00 per day. This team was driven a part of the time by Johns, a convict. I think the mules that Johns, the convict, drove then is the same team that Alden is driving now. I do not know the difference between Shuler's mule team and the State team. I do not know that Shuler has any team. When I say Shuler's team, I mean the State team; only one team worked for the Southwestern Car Company that Shuler got pay for. I do not recollect of any free man driving the team; it was always driven by Johns. I think the team that Alden is now driving is the same team that was driven by Johns, to the best of my recollection.

WM. R. JOHNSTON.

PIERCE COWMAN, being duly sworn, says:

My name is Pierce Cowman; reside at Jeffersonville, Indiana. I have worked for Southwestern Car Company from August, 1873, to May, 1874. I know the mules now driven by Alden as being the same mules that were driven by Johns, a convict. He hauled a part of the material that came in the shops to build cars with, lumber, iron, etc. I worked this team for six months. I think Strange Long was getting \$4.00 per day, and I think Shuler got the same. I do not know how long the team worked for the Car Company before I went there.

PIERCE COWMAN.

THEO. C. SALVETER, being sworn, says:

My name is Theo. C. Salveter; live in Jeffersonville, Indiana; am Assistant Superintendent Car Company Works. The team known as the State team does the work of hauling debris from the Car Company's grounds. The team is a mule team. I understand the Car Company has to keep the grounds clear or hire it done. Do not know of any contract between the Car Company and Shuler. The lumber is hauled in the Car Works by a convict. I have had work done in the State blacksmith shop; have had horses shod; paid for all I have had done; had a spring wagon partly ironed; paid to Shuler. I have had work done in the Prison shoe shop; furnished the material; have not paid for the work yet. I know nothing about the working of the shoe shop. A hose house, 10x12, has been put inside the prison some eighteen or twenty months ago.

I think I got a dollar's worth of coffee of Shuler. Do not know that it came from the inside or outside. I paid the money to Shuler for it. I have seen convicts working on Clarksville avenue, grading, etc. The dirt from the street went into the pond as well as I can remember. I do not know that Shuler keeps a grocery. I think the amount I have paid Shuler is about \$15. I owe for the shoemaking and ironing the spring wagon. A box building about 18x18 was put up inside the building within the last two years. A coal shed is attached to this. Mr. Long gets work done at the State blacksmith shop. This shop has been established about a year and run by Mr. Forsha. The reason I have work done in the shoe shop is because I can get it done cheaper. I have had six pairs of boots made out of my own leather in the boot shop. Had the six pair of boots made at once.

T. C. SALVETER.

JOHN S. LONG, being duly sworn, says :

My name is John S. Long ; reside at Jeffersonville, Indiana. I have a contract with the Southwestern Car Company for hauling ; was made in August, 1873. I am to haul the supplies from all points to the inside, and to do all their general hauling. I have been having my horses shod in the prison about a year, in 1871 and 1872. The State had a team there hauling for the Car Company and driven by a convict named Johns, and work the same time that I worked. This team that Johns drove, is the same team the State has now. This team is now driven by Alden, and is known as the State team. I was there when Meriweather left the prison. I bought a horse of Shuler that Meriweather left there. I gave eighty dollars for the horse to Shuler. There are eight horses at the State stable, four mules, and four horses. Mr. Shuler sold a pair of mules, between two and three years ago, in Louisville. This pair of mules just spoken of, did general hauling about the prison. He, Shuler, sold another pair of mules to the government, one of said mules was returned to Shuler. Shuler has this mule named *Barney*, and hauls rubbish from the prison. Shuler has from twelve to fifteen cows. I saw no distinction in feeding stock at the State stable, all were feed from one general fund. I have seen prisoners take corn out in carts to feed the hogs, sometimes eight or ten fat hogs. There might have been from twenty to forty hogs being fed ; been there about seven years steady. The last five years have lived within a hundred yards of

the prison. I have seen hogs killed at the prison. I have seen many beef cattle about there, and kept in the State stable yard ; would catch sheep there and take them inside and kill them. I have had my wagon repaired at the State blacksmith shop ; I run three teams steady, and have six or seven wagons. I have never paid Shuler any money, but would give him orders on the Southwestern Car Company for his pay. I have settled with him twice ; the first order on the Car Company was for fifty dollars even ; the last order was between ninety and one hundred dollars. These orders were given in full for pay up to the time. I am now owing the prison blacksmith shop something ; have got flour and provisions from Shuler ; I have got between five and seven barrels of flour. This flour was included in one settlement of orders on the Car Company ; got meat of Shuler ; while the pond was being filled the team was driven by convicts ; (I mean the State teams.) Prisoners were used in digging out street, removing dirt off, and putting the dirt in the pond ; commenced in May, 1873, and finished about December, 1873, or that winter. Sometimes we did not have more than two convicts out ; have seen six out at work. The dirt was put on the pond. Col. Shuler told me the pond belonged to him, Shuler.

The ground Shuler bought of Richardson was pretty nearly filled with debris from the prison. The dirt that went to fill up this ground was hauled by State teams. Parties living on the street assisted in graveling the street. Neither the O. & M., nor the Jeff. R. R. hauled any gravel on this road. This is an old road, Clarksville Avenue. There is nothing hauled on this road for the use of the prison. Colonel Shuler did the most of this work, grading and graveling, and he superintended all the grading. Before the pond was filled, I paid three hundred dollars for eighty feet ; since it has been filled, I think it is worth five or six dollars per foot. In getting the gravel out of the pits, the work was done by convicts, and guarded. I have free access to the prison. I know of but one building erected inside the prison, and that was an engine house, built of wood, one story, 16x20, I think. All the dirt taken from Clarksville Avenue was dumped in the pond belonging to Shuler, I think two thousand hams was a large amount of meat to buy at the season of the year that it was, (*summer*). The nine houses built by Shuler on the pond lot and near my house ; (five on the pond lot). Have seen three or four convicts at work on them ; sometimes more. and sometimes less ; saw them helping to built fences, they were built at different times, from 1871 to 1874. Mr. Sprague offered to

give Mr. Shuler dirt, from the Car Works, and shovel it in the wagons, if Shuler would haul it away. I think Mr. Shuler had four or five teams hauling for him, and the State team hauling. I took all the earth that came off the Avenue in addition to the earth that came from the Car Company grounds to fill up the pond. The grading of this Avenue, gave the prison property a little better appearance. The grading of the Avenue helped the appearance of Colonel Shuler's property.

JOHN S. LONG.

DAVID S. BARMORE, being duly sworn, says :

My name is David S. Barmore; reside in Jeffersonville, Ind.; my business is saw-milling and steamboat building; furnished lumber for the prison—for the inside and for wooden wall around the prison. I also furnished lumber for Colonel Shuler at the same time a portion of the prison lumber was furnished. Mr. Black, who superintended both the repairs of the prison and worked for Colonel Shuler, was present, and designated which should be charged to each. I continued to furnish from time to time. I can not say how much the prison owed me on the 15th day of December, 1874. The amount of \$482.12, on open account, is shown from Warden's report for December, 1874. On the amount due me from the State, I accepted Colonel Shuler's individual note for \$600, leaving a balance due of about \$482, as above shown by Warden's report.

DAVID S. BARMORE.

E. S. DILS, being duly sworn, says :

My name is E. S. Dils; reside in Clarke county, Indiana; I am a farmer. The State of Indiana is indebted to me for corn and straw. (Here the witness presented three receipts, showing that the corn and straw was delivered in August, October, and November, 1874, which said receipts are drawing ten per cent. interest.) Copy of receipts and indorsements thereon, to-wit :

" AUGUST 12, 1874.

" Received of E. S. Dils 8 loads of corn, 303 bushels and 43 lbs.
@ 70 per bushel. " E. P. GILPIN, Clerk."

Endorsed as follows :

" The within receipt bears interest at 10 per cent. from the 12th of Sept., 1874. " L. S. SHULER, Warden."

"STATE PRISON,
"October 31, 1874.

"Received of E. S. Dils 8 loads of straw, 4770 lbs., $7\frac{77}{100}\%$ T, @ \$10.00 per T.

"E. P. GILPIN, Clerk.

"The within to bear interest @ 10 per cent. per annum after 30 days from date.

"E. P. GILPIN, Clerk."

"IND. STATE PRISON,
"Nov. 18th, 1874.

"Received of E. S. Dils one load new corn, 3280-1210=2070 lbs. @60c per bushel.

"E. P. GILPIN, Clerk.

"The within to bear interest @ 10 per cent. after 30 days from date.

"E. P. GILPIN."

My understanding was, that I was selling this corn and straw to Col. Shuler for the State. No bills have been rendered. I have never rendered any bills; thought the receipts were sufficient. I know the Colonel is aware of this indebtedness to me. I have met him and asked him for it, and he told me to wait for a month. I have not received my pay yet. I have looked over the report of the liabilities and I do not see my name there. I do not know the reason why my name does not appear on the list of liabilities.

E. S. DILS.

WILLIAM CHRISMAN, being duly sworn, says:

My name is William Chrisman; reside at Jeffersonville, Indiana. I am chief of fire department of Jeffersonville, Indiana. I know what it costs the city of Jeffersonville to keep a horse a year. For keeping three horses a year it costs \$245.27 in city orders. This was the costs in 1874 less fifteen per cent. discount on city orders. This amount included only the corn, hay, straw, and saw dust for bedding, for their keeping.

WILLIAM CHRISMAN.

AARON APPLGATE, being duly sworn, says:

My name is Aaron Applegate; reside at Jeffersonville, Indiana. I keep a livery and feed stable in Jeffersonville, Indiana. I have been in stable a little over two years. It will cost about one dollar and ninety eight cents per week per head for each horse. The aggre-

gate about \$102.96 a year per year for each horse. I sold corn and hay to Col. Shuler in 1872 and 1873, for the State. Received pay of Forsythe, the Clerk of the Prison.

AARON APPLGATE.

D. M. ALLEN, being duly sworn, says :

My name is D. M. Allen; reside in Jeffersonville, Indiana; am a mechanic. I was foreman for Hall, Moore & Burkhart, contractors of the prison in 1869, 1870 and 1871. I was there when the buggy now owned by the State was built. It was finished, trimmed and painted by Sherman, a convict. Sherman was taken from my shop whilst I was foreman as aforesaid, to fix, trim and paint the buggy. I know the buggy to be the same that Shuler is using now. I think the buggy was about one-third worn out at that time. It was sold to the State in October, 1872. Col. Shuler remarked to me, after the buggy was finished, that it was worth \$250.00, and that it cost him but a small trifle. I bought grease of Shuler for Hall, Moore & Burkhart for tempering purposes, in the years 1871 and 1872; bought about 300 pounds. I think the escapes have been much greater under Shuler than under Meriweather. Sherman was taken off the contract for the purpose above stated, and made his escape. I have not seen him since. \$500 reward is offered for him; he was made a trusty; sent out to nail up a hog pen and never returned. I think the prison was kept cleaner under Meriweather than under Shuler; was much better policed under Meriweather than under Shuler.

D. M. ALLEN.

FRANK HOFFER, being duly sworn, says :

My name is Frank Hoffer, of the firm of Hoffer & Co.; reside at New Albany, Indiana. The State is owing me for potatoes furnished the Southern Prison. The amount is \$414.50. I furnished the potatoes on the 9th of November, 1874. I was to wait thirty days for the pay, and if the Colonel could not pay me in thirty days, he agreed to pay me ten per cent. interest. I do not find my name in the published report of the liabilities of the Warden's report. This was thereason I came here, because I did not see my name in the liabilities of the Prison. Do not know why my name was not published in the report. This amount of \$414.50 is the

amount due me from the State up to the 15th of February, 1875. I would mean now, the same drawing ten per cent interest.

F. HOFFER & CO.

C. W. ROGERS, being duly sworn, says:

My name is Charles W. Rogers ; reside at Jeffersonville, Indiana. I am the bookkeeper of the firm of R. R. Glover & Co., lumber dealers. That between the first of June, 1873, up to October 5, 1874, the said firm of R. R. Glover & Co., furnished to the State of Indiana 49,570 feet common boards, box boards, and fencing, amounting to \$1,239.25, and 505 studs, amounting to \$126.00, and these amounts were taken from the books of said firm, are correct and true.

C. W. ROGERS.

S. D. TOLAND, being duly sworn, says:

My name is Samuel D. Toland ; reside in Jeffersonville, Indiana ; am a bricklayer. I built those houses for Shuler in 1870. The prisoners helped me. I had no free labor. One of the houses was plastered by convict labor ; all the painting was done by prison labor on the houses I built for Shuler. I built no other houses since ; been about the prison since. I do not think I signed any thing. Shuler would sometimes pay me, and Forsythe would pay me. The brick came from the cell house prison. The State team hauled them. The teams were driven by convicts. I worked some for Col. Meriweather. I have worked all around the prison, inside and outside. Have been asked about these brick before. The carpenter work was done partly by prison labor on all of the houses. I have seen cows about the same stable where the State team is kept. Brought corn from the inside of the prison to feed the stock. I know of Col. Shuler fattening hogs, have bought hogs for Shuler, and sold hogs for Shuler over the river. Hogs were fatted by offal from the kitchen. When Shuler came there, the State had but two horses ; I think, in 1870, a pair of mules, one bay and one black ule, and the same mules that werew there in 1874. The same team that is there now is the same team that hauled brick for the houses I built in 1870, and this team is now called the State team ; this is my understanding.

S. D. TOLAND.

F. M. LOWRY, being duly sworn, says :

My name is F. M. Lowry ; reside at Louisville, Kentucky ; occupation, book-keeper and clerk for Cornwall & Bro., of Louisville, Kentucky. The account, herewith presented, is correct and true, and shows the dealings with L. S. Shuler and Cornwall & Bro., from March 29, 1871, to December 15, 1874 for grease amounting to \$——.

F. M. LOWRY.

T. J. HOWARD, Jr., being duly sworn says :

My name is Thomas J. Howard ; reside at Jeffersonville, Indiana ; did work at the Prison last year, plastering ; did some patch work in the Prison ; plastered several houses for Shuler ; for Shuler's work he furnished the materials. I made mortar. He did not work convicts about his buildings ; done by free labor ; convicts were working about the yard. I think one or two convicts worked on fences about the five houses belonging to Shuler.

T. J. HOWARD, Jr.

JOSEPH BOZEL, being duly sworn, says :

My name is Joseph Bozel ; live at Jeffersonville, Indiana ; am a grain dealer, and furnished grain for the Prison since 1865 ; have furnished hay, flour, meal, corn and shipstuff. My bills have been paid by the State ; never furnished Shuler anything individually ; received vouchers for my pay ; State is owing me now \$244.00, drawing interest at 10 per cent. per annum. I have furnished some feed meal since December 15, 1874 ; furnished some potatoes. Everything I sent to the prison was weighed on their own scales, and they paid me, I taking their word for the amount. So far as any transactions with Shuler, they have been perfectly legitimate, Shuler paying me for everything I furnished for the State.

JOSEPH BOZEL.

M. MICHAEL, being duly sworn, says :

My name is M. Michael ; reside at Jeffersonville, Indiana ; live in one of Col. Shuler's houses. Am a foreman in the Southwestern Car Company's Works. I know John Ready, a convict. I got a

barrel of flour and beef several times, and pork. Have seen convicts working outside the prison walls.

(Signed)

M. MICHAEL.

THOMAS P. SMITH, JR., being duly sworn, says :

My name is Thomas P. Smith, jr.; reside at Louisville, Ky.; am one of the bookkeepers of Smyser, Milton & Co., doing business in Louisville, Ky. The State is indebted to Smyser, Milton & Co., of Louisville, Ky., in the sum of forty-one hundred and forty-seven dollars and ninety-three cents up to February 1st, 1875, on which the State is paying ten per cent. interest. Every sale draws ten per cent. interest after thirty days from the date of said sale. Five hundred and five dollars and eighty-three cents of this amount charged to the State of Indiana is for mill feed.

THOS. P. SMITH, JR.

PAT HALEY, being duly sworn, says :

My name is Pat Haley; am a resident of Jeffersonville, Ind. I am a guard at the prison; have been there two years next May, being a guard; was State teamster for nearly a year. When I was teamster, have seen high as seven mules and horses in the stable; seen some cows—they were kept in the same stable; all were fed out of one common crib. The stable was located on the ground belonging to the State. I drove the State team about a year. I hauled grease to Louisville—several loads; sometimes I would haul nine barrels to the load, sometimes less; loaded the grease at the State Prison slaughter house. Have seen cattle and sheep slaughtered there. I have seen a carriage at the stable used by Col. Shuler, and sometimes by persons outside; mostly used by Col. Shuler and his family. When I drove the team, it was used for cleaning up yards, etc. I do not know how long Sullivan was confined in his cell. I have guarded him, and four or five others, since December last. I have charge of those who are confined in their cells, and had charge of Rudifer when he escaped. I have had no money for some time; some eight or ten dollars, which was deducted from my wages one month for provisions; have gotten flour, meat, coal and potatoes from the prison stores; have seen convicts grading streets, some in

the spring of 1873. Convicts was working every day during the summer of 1873. More or less convicts were working on the street; have seen three, four or five convicts at work every day. The dirt that was taken out of the street was put in the pond to fill it up. The pond belonged to Shuler and the houses thereon, as I have been informed. I live in my own house. When I moved I was a guard, and after my days work, took the State team and moved to where I now live. Shuler exercised general ownership over horses, mules and cattle. The team I drove was known as the State team, and it was only known as belonging to the State.

PAT HALEY.

JOHN KIRK, being sworn, says:

My name is John Kirk, I reside at Madison, Indiana. I was elected as Director to Prison South, Jan., 11th, 1871. Governor refused to commission; and I brought suit. The question was submitted on state of facts—between the Governor and myself to the court; court deciding in my favor. Governor still refusing to commission me, case carried to Supreme Court; Supreme Court sustained decision of the lower court, and I was commissioned by the Governor on the 18th or 20th of January, 1871. In February, 1871, I went down to the prison and assumed authority, and continued Director two years. When I was enjoined, after we had preferred charges against Shuler, in February, 1871. (Sparks and myself preferred the charges) and those charges was sustained by the majority of the Directors—Sparks and Kirk—Curry, a director, dissenting. We made an order removing Shuler and Sullivan, the moderator. He Shuler, asked time to move, this is granted. About this time Mr. Sparks was elected Mayor of Jeffersonville, and then these officers refused to give up their respective offices, for the reason that Sparks has accepted the office of Mayor. Vacated his office as director; this was in May, 1871. Mr. Kerskel was appointed in the place of Sparks, thus giving the Republicans a majority in the Board of Directors. I then continued to act as director up to the time I was enjoined in 1873. I thought during this time I learned the working of the institution pretty well. The first two years the claims and vouchers were regularly passed on at our regular meetings. It was our general custom, that we required all bills, claims and vouchers of all kinds, and nature, for anything not for the use of

the Prison to be presented by the Clerk—before they were passed upon ; (this was in the first two years). During the first two years, we gave all accounts a thorough examination before allowing them.

There were some things managed that were not as prudently managed as they should have been. My opinion was, they spent too much money ; were not close buyers. The greatest fault I had and could find, was in the repairs of prison. In my opinion we did not get enough work done for the money we paid. One of the charges made against Shuler was his misappropriation of the prison labor in building his brick houses. We charge Shuler of using labor belonging to the State to build these houses. The records of the prison we could not get, for the reason guards were placed at the prison and prevented us. We bought a book and made a separate record. The last two years I took no part in the affairs of the prison. I was not recognized by the Board of Directors as one of the Directors, excepting the two last regular meetings. I sold a horse to the State. Mr. Shuler said the State needed a horse ; he asked me if I knew of a good horse that would suit ; I told him I thought I had one ; he asked me the price ; I told him \$250 ; I gave him a description of the horse ; the horse was sixteen hands and three inches high, five years old when I sold him. Mr. Shuler said, if he is the kind of a horse you describe, send him down ; I will take him. I told Mr. Shuler I would not do that ; for him to come up and examine the horse, and if he suited he could have him ; if not, he need not take him.

The \$250 which was allowed me for contesting the election of myself vs. Platt, was given me by the Board without any request from me ; I did not ask the Board to make the allowance. In a conversation with Messrs. Hill and Munson, Directors, in the presence of Mr. Shuler, I stated that I very much questioned their authority to allow Mr. Platt and myself the amount to defray said expense. While I doubted the legal right, I thought it just. I do not recollect of voting on any resolution indorsing Shuler ; the election of Colonel Shuler for Warden, in 1872, was taken by consent. I expected Mr. Shuler would file a bond ; all such matters were left to Mr. Curry, a Director, we having every confidence in Curry. I do not know whether Shuler entered into bonds or not ; no bond was ever presented to my knowledge. I do not know of any perquisites were belonging to the Warden other than his salary ; I never heard the question discussed at any of the meetings. I attended the regular meetings from 1871 to the time my term expired in 1874.

After the charges were preferred against Shuler, he continued to work Prison labor on his houses. I saw them at work. I did not order grading of street in front and rear of Prison. Part of first two years passed upon vouchers; the last two years I did not pass upon any vouchers. I never ordered any money paid for furniture, carpets or chairs for Warden's house. I did not order the stable moved, and the building of a new one. I never saw a voucher dated May 3, 1873, on which Col. Shuler drew \$1,400. I did not pass on any vouchers in 1873. I do not recollect of passing upon any vouchers payable to Col. Shuler; not to my knowledge. I do not recollect of Shuler selling a horse and buggy to the State, nor the purchase of his carriage. At those two meetings I do not recollect of a voucher being shown. The Directors could not have passed upon a great number of vouchers without my knowing it. Munson & Hill did not consult me about any appropriations that were made. I never rode in Col. Shuler's carriage, nor in the State carriage to my knowledge. I never eat but one meal in Col. Shuler's house. I walked to and from the Prison when I went down. I heard them talking about heating up the Prison. I think the improvement a good one for heating up, washing, etc.; I thought it would cost too much money. I do not know about the purchase of fine blankets to my recollection. I was asked about the dress of the prisoners. After talking over the matter, we thought there was no impropriety in trying it. I frequently went through the Prison; about once a month on an average. The Prison is in much better fix now than when I went there. I do not know what they wanted with an architect about the Prison; did not think there was any building that needed an architect. I do not know of any building put up inside with the exception of wash and dry houses. I did not know that an architect had been employed. My understanding is, the State owns two mules and two horses, one roan horse and one black horse. I do not know of Col. Shuler's buying a horse in 1874. I never assisted in taking invoice of property at the Prison. I do not know of any contract with Shuler and the Southwestern Car Company to haul away the debris from Company's grounds for \$1,500. I do not know of the amount of appropriation for the Prison in 1873 and 1874. I have read the proceedings of the meetings. I do not know of the amount of \$7,688.00 being charged against the State for Prison labor in 1873 and 1874.

JOHN KIRK.

B. F. HILL, being duly sworn, says :

My name is B. F. Hill; reside in Carthage, Indiana; am a Director of the State Prison, South; about the 5th of February, 1873, became a Director. Have attended the meetings; have not missed one meeting. I was not a member when Shuler was last elected. I always thought Shuler had given bonds and filed in the Treasurer's office. We were consulted about the grading of the street. I have no distinct recollection that the grading was authorized to be done by official act of the Board, but if it was the records will show it. The Board did not authorize Col. Shuler to employ convicts on his houses. The Board authorized the purchase of a pair of horses. The State owns two mules and two horses; I know them all. The Board authorized the repairing of the greenhouse, the same being in a dilapidated condition. We did not pass upon vouchers at our meetings, Mr. Munson knowing all about them. I do not recollect anything about the voucher of November 3, 1873, We ordered bills paid for the purchase of furniture, carpets, etc., for the Warden's house. I never signed but few vouchers. We never compared vouchers with bills at our meetings. There was no particular amount of furniture ordered for the house. Know two of the rooms in the house. (Here some bills were presented to the witness). He stated he had no recollection of seeing the bills. Have no recollection passing on the bills—(here shown witness). When the panic came we had to have supplies. My brother-in-law had a mill. I told Shuler he would let us have flour on as long time as we could get elsewhere. I told the Colonel about it and he told me to have him send the flour. I receipted the first voucher in my name. Three (3) car loads the State owe for—\$2,000—which is now drawing interest from sixty days after from date of shipment. The bill here shown witness is a correct bill. That flour was ground from selected wheat. The price, \$8.00 per barrel, was the market price, the best brand; we bought this because the baker said it was the cheapest. This \$2,000 has been due since December 10th, 1874, according to the bill; I do not know the Warden was aware that the amount was due on December 10th, 1874. I do not know whether the amount due my brother-in-law is in the printed report of the Warden of December 15th, 1874; I do not see the \$2,000 in the statement of liabilities. I have no recollection of seeing a voucher of \$14,00 drawn in favor of Col. Shuler. The official action of the Board, when they meet, are made matters of record. I did order the stable moved and a new

one built; (most emphatically I did). There was no particular number of stock mentioned. I did approve of the building of the present stable, if not I should have entered my protest of record. I suppose it to be amply commodious for the use of the Prison. I do not know the capacity of the stable. I have rode in the State carriage half dozen or dozen times; it was purchased for the use of the State. I do not know of the purchase of any nice blankets for the State. The Board paid \$500.00 for warehouse, as a compromise to a law suit. I do not know whether Shuler ever paid over the \$100 for which the warehouse was sold to him.

I authorized the employment of an architect; saw no draft of the boiler house. The minutes are always read by the Clerk and approved at our next meeting. I know of no authority of law for the appropriation of any money; only at regular meetings appropriation of public moneys were made by the Board, invested in them by law. We authorized the purchase of Col. Shuler's carriage, I think, at \$500.

About the first conversation I had with Munson, was that he, Munson, done very well last year, but this did not pan out well. I heard Munson say if he were Warden, he would make more money than Shuler had; that he would reduce the expenses. After what the State wanted, we allowed Shuler to have his hides, tallow, etc., we considering this offal.

B. F. HILL.

A. L. MUNSON, being duly sworn, says:

My name is A. L. Munson, reside at Mitchel, Indiana; am a Director in the State Prison South. My understanding is that Col. Shuler got the money for the hides. Do not know of any peculations since I have been Director.

Since I have been a Director of the prison, it has been my understanding, and so far as I know, it has been the understanding of all the other directors, that Col. Shuler was to have all the offal of the prison, including all the hides, and also all the tallow and other grease, excepting what was necessary to make the soap for the prison. I have assented to all the transactions of the Warden so far as know, on general principles. I do not know of any contracts having been made wherein any of the officers connected with said prison were interested. I did not know about Col. Shuler having a contract with the Southwestern Car Company of \$1,500 to remove the

debris from the grounds of the Car Company, until I heard the testimony of witnesses before the committee. I did not know of the State team being worked by Shuler in carrying out that contract. Witness here stated that Shuler owned a mule team. Do not know the driver of the State team, Charles Alden. The State mule team and Col. Shuler's mule team are so much alike I do not know them apart. Since my directorship I have been at the prison on an average of once in three weeks. I would stay generally two nights, and often three or four days. I have been there oftener than any other director. I was elected on January 11th, 1873, and in February, 1873, we had our first regular meeting, and at that time I signed the record that was made December 26th, 1872, which was the month before I was elected to office. What right I had to sign that record is clearly out of my memory.

I have forgotten all about that meeting. I have no recollection of signing those minutes, though it is in my hand writing. I did not know any thing about the allowance of \$1,881 until Keigwin brought it to my mind. At every regular meeting the vouchers and papers were always presented by the clerk for inspection and passed upon. We never passed upon guards' accounts, and discharged convicts' accounts, but they were laid before the Board for review and acceptance. The offal question was never talked of in session. There are hundreds of vouchers passed upon that are never put upon record. It has only been very lately, within the last few days, that I learned Col. Shuler had not given bond. Major Glover, at the Treasurer of State office, told me that Shuler had no bond filed. On general principles, the prison has been conducted to my entire satisfaction. We allowed him, Shuler, the \$400, being governed by a precedent, and that the claim was just. On December 1st, 1874, we allowed Shuler \$200, being an extra allowance for items I have no recollection of. We hardly ever put items down on the records. We granted R. J. Forsythe, the clerk, a leave of absence on condition, (the conditions I have forgotten). My impression was that his pay went on during his absence in *California*. We thought we had the right to give to Kirk and Platt \$250 in the contested election case between Kirk and Platt. They asked the Board for this amount in justice to themselves. It was my understanding that Kirk asked for the allowance. Shuler had a carriage at the prison, and as the State had been using the carriage, and the Board gave him \$500 for the carriage. I do not know of any speculation going on; if there has, I do not know. We sold the old

warehouse to Col. Shuler for \$100, in good faith. I have constituted myself a smelling committee, to ascertain if Col. Shuler had had any interest, directly or indirectly, in the office of Southwestern Car Company Works, and have found out that he, Shuler, is not, in any way, connected with the company. I have always tried my best, and have been convinced that he has not. Col. Shuler has bitterly denied it. I have been told by Shuler that he, Shuler, has stock in a shoe factory in Indianapolis. I have seen some of his, Shuler's, certificates of stock. I have seen a sample of the shoes, and requested Shuler to purchase shoes for the convicts of this stock company. Col. Shuler had bought the furniture, carpets, etc., for his house, before any allowance was made, on his own account; it was allowed on the ground that the State used it, and that I believed it was right, because we had used it, visitors had used it, and we wanted to pay him some thing for it. One of the reasons was, that the furniture was worn out in the service of the State. We authorized the payment of these bills for carpets, etc., because we thought they were right. My understanding is, that these carpets and furniture we bought belong to the State. I don't know how many rooms there are in the Warden's house, and I do not know the size of the rooms. I saw the bill of furniture bought of McCullough. I do not know what became of the furniture that this new furniture took the place of; I know of the new furniture going into the Warden's house. I do not know that the provisions used in entertaining sheriffs, visitors, etc., came from the provision stores. I understand the \$400 allowed to Col. Shuler is to pay for the food eaten by sheriffs, visitors, and officers at Shuler's house. I think it nothing more than simple justice to allow Shuler these amounts for furniture, etc., curtains, gold band china, and, I think, the curtains were liable to the same wear and tear of other furniture of the house.

Question, asked by Senator Johnson.—Were Col. Shuler's curtains worn out by reason of his having entertained the Governor and other visitors any more than they would have been had not such visitors been entertained by said Shuler?

Answer.—Yes, that was my understanding at the time we allowed the furniture bills. I examined them, and [found] them right, and they were allowed. I am a Director of the Prison South, (I am now under oath), and James Keigwin is a Director.

A good many improvements have been ordered; there was re-roofing ordered and mending. The Warden's house has been repaired, inside the prison, the foundation was repaired, and the wood shops

on the east side where the machinery is. The foundry on the west side, the blacksmith shop on the west side, have been repaired. The grading of the street back of the prison, and also in front of the prison, and in fact we instructed the Warden to fix and repair anything necessary to be done. I have not heard all the testimony. The grading of the streets were made by my and Hill's instructions. The reason why we made the streets, thought it would be advantageous to the prison. I never considered the pond healthy. I think the filling up the pond was beneficial to the health of the prison. The physician of the prison, said to me, the filling up of the pond would be beneficial to the health of the prisoners. A question arose with me, whether the State could not buy the pond, and fill it up— to an advantage to the State, I mean sanitary advantage, and health to the prison. Men that are able to work are assigned to the Car Company. There are men assigned to what is called State duty, to the Cooking Department, one or two in the Shoe Shop Department, and some do the tailoring; and some detailed for keeping *cells* clean; some "trusty's" do work outside for the State, such as cleaning yards, and attending to stock, etc. Our object was, those of the prisoners who could not work for the Car Company to allow the Warden to use them. I only know of one brick wall being taken down since I have been there. My impression now is, that I told Shuler to use whatever brick was necessary to make repairs with on the prison. I recollect of telling Shuler to clean up where the old wall stood, and use what was necessary for repairs of prison, and the balance he could have. I can't say that I ever saw the Warden's furniture particularly. I think the general condition, and its repairs a great deal better than when I went there. There ought to be new *cells*, I do not think the present ones healthy. With this exception, I think the prison is in good condition.

Ques.—Did all the legitimate accounts for which you gave vouchers, come before your Board for consideration?

Ans.—There have been vouchers presented and passed upon, with no bills, and the genuineness of the bill was taken by the Warden or Clerk. I can not itemize the bills. I can not account for the great mortality in the Prison since the pond was filled up. I cannot account for the great number of escapes in the last year.

Quest.—Did you ever protest to the Warden about having so many convicts working outside the walls?

Ans.—No; but I have doubted the propriety of working so many convicts outside the walls. It was my impression that the Warden

reported to the Board of Directors the amount of moneys received for the institution from all sources, but I am not certain that he did. In my working visits between the meetings of the Board was when I looked more particularly into the affairs of the Prison. As I understand the Board kept the record of the reports, as I understood by the law, they should. I did my part as a Director in inspecting the Warden's accounts of the different apartments of the Prison, and the condition, in accordance with the law in section 9 of an act, approved February 5, 1857, so far as I could and to the best of my ability. The Warden has not received, with my consent, for the services required of him by law, anything more than \$1,500 per annum, and the offal of the Prison. Since my Directorship the Board of Directors have not required the Warden to give any bond. I never personally required a bond of Col. Shuler. I thought he had given bond. I have read the report of E. P. Gilpin, Clerk of Prison, and say I don't understand it fully. The \$115 I received from the State funds to defray my expenses at Michigan City and Indianapolis, I think is a question of law whether I had any right to draw it. No order was made of record for this allowance. My impression is, that I was elected in the early part of the session of the Legislature of 1873. I went to Indianapolis before there was a regular meeting of the Board. My understanding is that I visited Michigan City before the 10th of March, 1873. I performed no duties in my official capacity at Michigan City. I performed no official duties at Indianapolis. By consent the Board allowed the \$115.00. Somewhere the law requires the appropriations of the State's money to be made a matter of record. I draw \$800.00 per year from the State funds for my salary as a Director, (quarterly). I have drawn nothing for services, excepting my salary. The law does not allow me anything for expenses as Director. The law does not allow me or the Warden anything for furnishing our houses. The law does not allow me anything for attending Prison Congresses, when acting as a Director. I have no right to any money from the State Treasury, over and above the \$800.00, for my salary. I believe the Board has the right to appropriate the public money when acting in an unofficial capacity for the interests of the penitentiary.

Quest.—Is there any limit beyond which the Board can not go in making these appropriations?

Ans.—Yes, there is a limit.

Ques.—What is that limit?

Ans.—The Board has no right to appropriate money, only for purposes they deem beneficial for the prison and the State.

Quest.—If the Board deemed it beneficial to send a man to *China*, would the Board have the right under the law, to make an appropriation therefor?

Ans.—I refuse to answer the question.

Quest.—Was there anything in law for appropriating the State funds to defray your expenses to St. Louis?

Ans.—I don't know. I am aware the Constitution explicitly says: "No money shall be drawn from the Treasury, but in consequence of appropriation made by law." The carriage the Board bought of Colonel Shuler had been about one-third worn out; the the Board paid five hundred dollars to Colonel Shuler for his old carriage. We had used his carriage, and thought the State ought to buy it. The State officials had used the Warden's furniture, carpets and upholstery, chairs, and we thought it was right to replace them with the State funds. The State officials had also used his (Shuler's) beds. I do not recollect whether the Board have bought any new beds for the Warden's house.

Quest.—If the Board have not already bought new beds for the Warden, with the State funds, ought they not to do so?

Ans.—I have not made up my mind on that question.

Colonel Shuler has not yet expressed his wish to me, that the Board should purchase new beds for his house. [Witness says, "I do not know any more than a horse, what a lambrequin is."]

A. L. MUNSON.

GEORGE B. F. COOPER, being duly sworn, says:

My name is George B. F. Cooper; reside at New Albany, Ind. The amount reported in the Warden's report is correct. The services were, putting in a heating apparatus in the Prison, boilers, piping, engine in the laundry, washing machine, dryer, connection with the kitchen, radiators in the Cell House and hospital, work shop, to the Warden's residence, hot-house, office of the contractors, connection with the Prison dining room. The heating embraces about 603,780 cubic feet, in addition to cooking and doing the laundry. My pay was for services as architect. We put up a dryer, put in water works, four water closets, hopper traps, etc., at the east end of the hospital. I did one and one-half day's work for

Col. Shuler on a little platting, and, getting my meals there, did not make any charge to Shuler or the State. This \$1,222.70 was for my services as architect and in superintending of the various improvement enumerated in the report to the Committee on Public Buildings. The amount of \$125.00 is correct and owing to me by the State on this work. The balance due me is about \$175.00. I performed my last services about the 19th of December, 1874. I have rendered a bill for all my services. I made a bill for the heating apparatus, with drawings, detail bill for the same. I can not furnish a copy of bills, as they were turned over to the Warden, for the piping, etc.

I applied to two parties—Magin's, (through N. H. Duvall), and Hill—for bids. I charged eighty cents per hour for my services; this is what the Car Company paid me. I was working for several firms at the same time I was working at the Prison. I got a bid from Magin's, through their agent at New Albany, and Hill. I got up the bills for the heating apparatus of the Star Glass Manufacturing Company.

I got the piping of Hill for the prison, he being the lowest bidder, about cost, not over eight cents per foot, inch pipe. I do not recollect what Hill's bid is; I have seen the bills and they compare with the price; the bills are at the office of the Warden; I stopped at the prison on my way here to obtain some papers I left there. (The witness here declined to answer a question, and said, I decline to answer any questions connected with the lead mining company and connected with my private affairs. I am willing to answer questions in relation to my connection with the State prison.) My labor in the months of September, October, November and December, 1873, consisted in preparing drawings, patterns, etc., in connection with the laundry of the prison. In January and February, 1874, was a continuation of the same work; in March, April and May, 1874, it was the miscellaneous improvements and the improvements at the residence of the Warden. I supervised the work in June, July and August, 1874. I can not give details of work for May, June, July and August from memory. For September, October, November and December, 1874, I can not give a detailed statement from memory. The last work done in December was supervising work on the heater. The bill here presented the number of hours. I have performed for the State 1,860 hours at 80 cents per hour and six dollars expenses besides. I have rendered a bill to the prison officers for this work. The service included the

measuring and platting of the route of the escape of Kennedy, Port and Applegate. This was to be used in the trial for the conviction of Kennedy. I am not now employed in any connection about the prison; I have examined the work and pronounce it good; there are some floors there should be relaid; two thousand dollars will cover all repairs the prison will need in the next two years, casualty by fire excepted.

GEO. B. F. COOPER.

AUGUST SAUER, being duly sworn, says:

My name is August Sauer; reside in Jeffersonville, Indiana. Am a butcher, been such for fourteen or fifteen years. Hides and tallow are offal (so called). The hides of fat cattle are worth about \$6.00. Fifty pounds of tallow would be a good average, \$2.00 per beef. The average price of beef per pound, and the average price of hides per pound are about the same very near. We call hides and tallow the offal because we consider if the butcher makes the hide and tallow clear, he is making a good profit. The State owes me \$250.00, and Shuler endorsed my note in bank. The beef I sold Shuler went inside the Prison. Five or six different ones came for beef. What I sold on market went to Shuler's house, sometimes two or three dollars worth a day, and that he, Shuler, paid for himself.

AUGUST SAUER.

JOHN VAILEY, being duly sworn, says:

My name is John Vailey; reside in Jeffersonville, Indiana. Am the gardener at the Prison; been gardener at the Prison for three years. I attend to the green house in winter, get out manure on the garden, etc. I have no convicts to work in winter. I get \$25.00 per month with my board and washing. I hear that Shuler gets \$50.00 per month for me. I raise in the garden celery, lettuce, beets, mustard greens, cabbage, some oyster plants, radishes, cucumbers, squashes, onions, parsneps, beans, peas, spinach, butter beans and tomatoes. The Colonel gets his vegetables for the house, and Captain Luke got some. No boquets made, only for Colonel Shuler. The green house is altogether for the use of Colonel Shuler and his family. We paid \$5.00 apiece for *dituria grand defloria*. I use horse and buggy about two months to attend marketing for

Shuler. Colonel Shuler uses all that is raised in the garden for his family. I raised some okra the first year for soup. American people no care for this, so I quit. Our green house is warmed by a steam pipe from the Prison. The Warden's house is warmed and heated by a steam pipe also from the Prison. Mr. Shuler has fourteen cows and a bull, four, five, or six heifers. Convicts milk the cows; a German sometimes. Shuler has fifty or sixty hogs. I board at Mr. Shuler's; eat at the same table with the guards; has some eight or nine boarders beside me. 676 barrels of vegetables came from the garden in 1873. In summer time, five or six months, I have one convict; about twenty-two men not guarded when working for me in the garden. I fix my hot bed ground in November and December. About five or six weeks I have nothing to do in the garden. Two years ago worked all the time in the garden.

JOHN VAILEY.

WILLIAM THIAS, being duly sworn, says :

My name is William Thias, one of the firm of Holmes & Thias; reside at Jeffersonville, Indiana. We furnished supplies for the State Prison, South. When any thing was wanted at the hospital, we furnished it; all was charged to the State. Hospital Steward came, or ordered what he wanted, and we took them down. We have accepted many orders to furnish guards. I know the kitchen steward, and the hospital steward, and the physician. I furnished Forsythe bread; he bought such articles as we had, to sell, of us for the sutler shop in the Prison, and charged to Forsythe. I think we furnished such supplies as we had, in 1872, for his (Forsythe's) sutler shop. I think we furnished Forsythe with such articles we were dealing in, in 1871, 1873, and 1874. Mr. Forsythe frequently told me he wanted bread for the use of the hospital. The account I kept with Forsythe was kept on pass books, and when we settled at the end of each week, or two weeks, I would throw the pass books away, having no further use for them, whenever the pass books were filled up. We have an account with Col. Shuler, such as family supplies. We have sold to Col. Shuler \$2,100, in twenty-five months, worth of family supplies, on a running account. We keep a general grocery, provision, and confectionary store. I do not know of Forsythe ever buying bread from any one else. I never delivered any bread to the hospital. I took

all the bread to the sutler shop. I have been selling more or less to the Prison for the past six years. The goods were delivered by me; were always delivered at the designated points ordered to be done. We have never delivered any thing to Col. Shuler, and charge to prison. Since December 15, 1874, have sold provisions, and taken orders, to the amount of \$300 or \$400, and orders in favor of employees.

WM. THIAS.

PATRICK MALONEY, being duly sworn, says :

My name is Patrick Maloney ; reside in Jeffersonville, Indiana. Am a guard at the prison kitchen. I give out supplies to guards and employees of prison. My duty is that when I give anything out, I keep an account of and turn it over to the Clerk of the prison at the end of each month. I do this in all cases. The Warden gets supplies there. I have been in that capacity three or four years. No particular one came for supplies for Shuler ; sometimes convicts would come and get supplies for Col. Shuler. The family of Shuler would come and get supplies, beef, flour, coffee, and once in a while beans, potatoes, hams, pork, mutton and lamb. I issue supplies for the hospital. I am ordered to issue supplies to guards at their request. I was instructed by the Warden to let Mr. Michael have goods from the store-house and Mr. Allender; they were men working for the Southwestern Car Company ; also George B. F. Cooper, the architect ; also Major Luke and E. P. Gilpin ; also to Mr. Salveter. (Here the witness presented a memoranda book of how he kept accounts against guards and other persons, said memorandum book containing the names to whom the provisions were sold, the articles, and number of pounds sold to each. To Forsha, beef, flour, coffee, potatoes. Articles to Black, for Alden, for Haley, for Michael, for Allender, for Shuler, for Johnson, for Long, and for articles furnished others.) I never put any price on articles. The beef that the officers get is the best cut. I commenced writing in the book about the middle of February, 1875. I have a new book furnished me every month. I call the items off, and the Clerk takes them. When I fill up the books I throw them away. I take a description of men sometimes, that when they get away I can furnish to other men. I have no particular reason for destroying the books.

No convict has escaped from the Prison. Agitator Johnson got two barrels of flour in February, 1875; Long, one barrel in February, 1875. I do not know what I did with my January book. My January book was similar to the one here. The onions in the Prison were bought; potatoes we buy from farmers. Joel Black got two barrels of flour in February, 1875; A. Carr one barrel of flour; Forshea one barrel of flour in February, 1875. We have not slaughtered any beef at the Prison slaughter house in February, 1875. I do not know the hogs fatted at the Prison come to the Prison store house. Colonel Shuler sells them. I keep the store house. I should think we had two hundred barrels of flour now in the store house; should think sixty or seventy barrels of rump and mess pork were on hand; all that we have on hand now is rump pork; all the pork delivered last fall and this winter is rump pork. We may have about forty barrels of potatoes on hand; feed wheat bread about six days in the week to the prisoners, and corn bread one day in the week to the prisoners. We are out of meal now; fifty or sixty pounds of coffee on hand. When the guards come for articles I let them have them without any written order. Our meal is made by a mill in the Prison; some of the meal is hauled out to the stock; this is coarse meal we grind for the stock. It has been some time since I ground meal for the stock. The corn we get from the farmers. When provisions are furnished me the Clerk signs all the tickets. I have had boots made at the Prison shoe shop; two pair I think. I furnished the stock myself for one pair. I paid for one pair of them. I paid Deputy Warden Capt. Luke; he charged me \$2.50 when I find the stock; (are calf skin boots). We use from two and a half to three barrels of flour per day for the prisoners. It will take about two barrels of rump pork to make a meal for the prisoners; four hundred and seventy-five pounds of beef would make one meal for the prisoners; would take five barrels rump pork per day for the prisoners. I do not know what the grease would amount to from these five barrels would make four or five barrels of grease per month from the Prison. I can not tell the amount of grease that has been hauled away. I have charge of the slaughter house; kill the beef. I keep no accounts of hides. I have men to assist me to load the hides. I do not know anything about the number of hides that are sold or go away from the slaughter house; have no idea who sells the hides and grease, etc., nor who buys them.

P. O. MALONEY.

DAVID W. MILLER, being duly sworn, says :

My name is David W. Miller ; reside at New Albany, Floyd county, Indiana. I was Warden of the State Prison, South, from 1856 to 1865. During my Wardenship the State of Indiana, through the Directors, never furnished me with any furniture of any kind or description for the use of the Warden's house, nor did the State furnish me with any buggy, carriage or horses. When I was Warden the State had use for one pair of mules ; this team kept the Prison grounds clean. The Board of Directors never allowed me a cent for the entertaining of visitors, Governor, Sheriffs, etc. The Sheriffs had not the facilities for getting away then as they have now. I think I entertained three Sheriffs to Shuler's one. I never employed an architect for anything connected with the Prison. The average price of labor which I received for convict labor was forty cents per day. I can not recollect the deficit ; half of time I had five hundred prisoners and one-half of them not employed. I think I paid my guards by the month. My guards did not get stores from the State when I was Warden. There was no such rule as rule No. 3 then, as now. I did not get my stores from the Prison. There was no green house when I was there. The State had no use for a park or a green house. I do not think the State of Indiana has any use for a stable with greater capacity than for a team. I did not think the pond was detrimental to the health of my family or the health of the prisoners. I got my ice from the pond for use of Prison. The Warden's house was built on the State grounds for the lessee and Warden of the State, under the old law of the State. Clarksville Avenue, I know, was always a good road to drive over. There was not a sutler shop at the Prison when I was there. I would allow the baker to drive in the yard and sell bread to the convicts. I never carried guards on pay roll to canvass for political office or otherwise. What I called offal was the siftings of the meal and what fell from the table. All grease, etc., I sold and returned proceeds to the State. Two of the Directors and myself went to the Philadelphia Prison Convention. The State paid our expenses, \$150.00. I think I paid Judge Otto \$500.00 when I was sued on my official bond.

Convicts did the garden work ; done by "trustys." I did not pay S. Rum costs in the suit on my official bond. John P. Dunn and Jerry Skeene made a contract for one hundred men. They were to be employed there coopering, except the first summer, when a certain number of them were to make brick on the State grounds.

When they commenced making brick Skeene demanded the man should go to woods to chop wood. I refused to let them go for that purpose. The contract was that they should pay for the labor at the end of every thirty days, and if they failed ten days thereafter the contract was to be void. The first month the contract was complied with ; the second they failed, and I made void the contract. This was the cause of the suit. After, the Board of Directors having sustained me in my duty. I think the sutler shop was established under Meriweather as Warden.

D.,W. MILLER.

STATE PRISON, SOUTH,
JEFFERSONVILLE, IND., Feb. 12, 1874.

The sub-committee appointed by the chairman of the Senate Committee on Prisons to examine books and vouchers of said prison, composed of Senators Howard, Johnson and Stockslager, met at 7 o'clock p. m., and organized by the election of Senator Howard as chairman, and S. M. Stockslager as secretary.

The committee proceeded to the examination of the vouchers on file during financial year 1873.

Voucher No. 216.

MARCH 10, 1873.

Amount paid A. L. Munson as expenses at Indianapolis during the session of the Legislature, one hundred and fifteen dollars.

Mr. Munson says he does not recollect of any bill being filed for said expense. The expenses were made during the time he was Director, for expenses at the Legislature while on business outside of duties of his office. He also says he visited Northern Prison and prison at Joliet, Illinois. I was also drawing per diem at that time.

Voucher No. 293.

MAY 9TH, 1874.

Amount paid A. L. Munson for expenses to Prison Congress at St. Louis, forty dollars.

Countersigned :

A. L. MUNSON, Director.

Voucher No. 294.

MAY 9TH, 1874.

Amount paid John W. Sullivan, expenses to Prison Congress at St. Louis, forty dollars.

The committee find that no bills appear for these services, and Mr. Munson says he does not know of any having been filed.

Voucher No. 438.

JULY 1st, 1874.

INDIANA STATE PRISON, SOUTH,
WARDEN'S OFFICE, July 1, 1874.

Treasurer of State will pay to L. S. Shuler for allowance for entertaining visitors, two hundred dollars.

L. S. SHULER,
Warden."

Countersigned :

A. L. MUNSON, Director.

Mr. Munson says that they have been in the habit of allowing that sum half yearly, to the Warden for entertaining Sheriffs, State officers, and other visitors.

APRIL 1, 1873.

An order of the Board entered of record as follows :

It is ordered by the Board that an allowance be made to L. S. Shuler, Warden, one hundred dollars per quarter for the purpose of maintaining Sheriffs, visitors, and others, who may make his house a stopping place while visiting the prison on business, etc., which allowances to be instead of the former or present allowance for the same purpose, and to take effect from January 1, 1873.

A. L. MUNSON,
President.

At date of this allowance Mr. Kirk was enjoined from participating in the action of the Board.

Messrs. Munson and Hill present.

Voucher No. 519.

August 31, 1874.

Paid Geo. D. Sherman, for queensware, one hundred and seventy-four dollars and fifty cents.

L. S. SHULER,
Warden.

Countersigned:

A. L. MUNSON.

The following is a copy of the bill for the above voucher :

LOUISVILLE, KY., August 31, 1874.

INDIANA STATE PRISON,
Geo. D. Sherman, Trustee,
Walter & Brothers :

5 dozen Hoy Coffee Cups, \$2.25.....	\$11 25
20 dozen Hoy Coffee Cups, \$1.25.....	25 00
20 dozen Hoy Plates, \$1.20.....	24 00
20 dozen Granite Soup Plates, \$1.20.....	24 00
1 dozen Band China Plates.....	12 50
2 Band Covered Dishes, \$2.50....	5 00
2 Band Covered Dishes, \$2.90.....	5 80
2 Band Covered Dishes, \$3.10.....	6 20
5 Japan Trays, 50c, 75c, \$1.00, \$1.25, \$1.50.....	5 00
1 Dinner Set.....	18 00
	<hr/>
	\$136 75
1 Glass Bowl.....	1 25
2 Salvers	1 60
	<hr/>
	\$139 60
Old Bill.....	34 90
	<hr/>
Total	\$174 50

Voucher 529. SEPTEMBER 7, 1874.

Amount paid Geo. D. Sherman, for bill of Queensware, \$38.25.

Countersigned : A. L. MUNSON.

Clerk of Prison not able to find the bill for above voucher.
Both of above vouchers changed to provision account.

Voucher No. 514. August 31, 1874.

James McCollough for furniture for Warden's house, six hundred and nine dollars.

The same is charged to repairs of Prison.

Countersigned : A. L. MUNSON,
Director.

E. P. Gilpin, Clerk, says there was no bill rendered for above voucher.

Voucher No. 444.

July 7, 1874.

Paid to W. H. McNight, on account of furnishing Warden's house, three hundred dollars.

No bill charged up to repairs of Prison.

Countersigned: A. L. MUNSON.

Voucher No. 517.

August 31, 1874.

Paid to W. H. McNight, for balance of account for repairs to Warden's house, two hundred and one dollars.

Charged to repairs of Prison. No bill on hands.

Voucher No. 94.

March 20, 1874.

To A. L. Sour, for four pots twenty-eight sixty-two.

Charged to garden account.

Voucher No. 153.

April 13, 1874.

To Naucet Neuner for seeds and flowers, seventy-one dollars and seventy-five cents. Charged to garden account.

Voucher No. 409.

June 2, 1874.

To John Kirk, expense of law suit, recently decided by Supreme Court, two hundred and fifty dollars. Charged to expense account.

Voucher No. 467.

July 19, 1874.

Paid to Samuel T. Platt, allowance for expense in law suit, two hundred and fifty dollars.

Charged to expense account.

Mr. Munson says they begged us out of it.

Voucher No. 392.

May 27, 1874.

To L. S. Shuler, for eight head of beef cattle, three hundred dollars. Charged to Prison account.

Clerk says no bill rendered.

Mr. Munson says they were cattle bought of him.

S. M. STOCKSLAGER,
Secretary

The Directors of the Prison say that Governor Hendricks commissioned Mr. Sullivan as Delegate to Prison Congress at London. He was appointed by the Board.

Under the rule, the report was laid on the table.

Message from the House by Mr. Holmes, Clerk thereof:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed the following resolution, to-wit:

Resolved, That the Clerk be directed to inform the Senate that the House is now ready to adjourn *sine die*.

Message from the House, by Mr. Holmes, Clerk thereof.

MR. PRESIDENT:

I am directed by the Speaker to inform the Senate that the House concurs in a part but refuses to concur in all the amendments of the Senate to House Bill No. 496, and the bill and amendments are herewith transmitted to the Senate, and that the House has asked for a committee of conference, and the Speaker has appointed Messrs. Davidson and Lanham committee on the part of the House.

Mr. Johnston of Parke demanded a call of the Senate.

Those answering to their names were,

Messrs. Baxter, Beardsley, Bearss, Bell, Boone, Bowman, Bunyan, Chapman, Cree, Culbertson, Daggy, Davidson, Dykeman, Friedley of Lawrence, Friedley of Scott, Givan, Grove, Hackleman, Harney, Haworth, Henderson, Hendricks, Hough, Howard, Humphries, Johnson of Floyd, Johnston of Parke, Major, Maxwell, Neff, Oliver, Peed, Rhodes, Sarnighausen, Scott, Skinner, Slater, Sleeth, Smith, Stockslager, Tobin, Underwood, Wilson and Winterbotham—44.

Mr. Chapman moved that the further call be dispensed with.

Messrs. Givan and Bell demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Boone, Bunyan, Chapman, Daggy, Friedley of Scott, Hackleman, Haworth, Hough, Howard, Johnston of Parke, Neff, Oliver, Rhodes, Scott, Sleeth, Tobin, Underwood and Mr. President—21.

Those who voted in the negative were,

Messrs. Bell, Culbertson, Davidson, Dykeman, Givan, Grove, Harney, Henderson, Hendricks, Humphries, Johnson of Floyd, Maxwell, Peed, Sarnighausen, Skinner, Slater, Smith, Stockslager, Wilson and Winterbotham—20.

So the further call was dispensed with.

Mr. Chapman moved to take up House Concurrent Resolution referring to the adjournment.

Mr. Bell moved that the motion do lie on the table.

Messrs. Slater and Bell demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Bell, Boone, Bowman, Culbertson, Davidson Dykeman, Grove, Harney, Henderson, Hendricks, Humphries, Johnson of Floyd, Maxwell, Peed, Sarnighausen, Skinner, Slater, Smith, Stockslager, Wilson and Winterbotham—21.

Those who voted in the negative were,

Messrs. Baxter, Beardsley, Bearss, Bunyan, Chapman, Cree, Daggy, Friedley of Lawrence, Friedley of Scott, Gooding, Hackleman, Haworth, Hough, Howard, Johnston of Parke, Neff, Oliver, Rhodes, Scott, Sleeth, Tobin and Underwood—22.

So the motion was not agreed to.

The question recurring on the motion of Mr. Chapman,
It was agreed to.

Report by Mr. Sarnighausen.

MR. PRESIDENT :

The Joint Committee of the House of Representatives, appointed to wait upon the Governor to ascertain whether he has any further communications to make to the General Assembly, have complied with their instructions, and directed me to report that His Excellency has notified the committee that he has no further communications to make besides the proclamation herewith submitted :

A proclamation by the Governor, convening the General Assembly in Special Session, given March 8, 1875.

STATE OF INDIANA, EXECUTIVE DEPARTMENT,
INDIANAPOLIS, March 8, 1875.

Because of a disagreement between the Senate and House of Representatives, at the present session of the General Assembly, a failure to pass laws indispensable to the administration of the State Government, including the revenue and general appropriation bills, has occurred, and because thereof the public welfare requires a Special Session of the General Assembly, therefore, I, Thomas A. Hendricks, Governor of the State of Indiana, do hereby issue this my proclamation and call upon the General Assembly of the State of Indiana to convene in Special Session on Tuesday, March 9, A. D. 1875, at nine o'clock in the forenoon.

[SEAL] In testimony whereof I have hereunto set my hand
and caused to be affixed the seal of the State, at the
city of Indianapolis.

THOMAS A. HENDRICKS,
Governor of Indiana.

By the Governor :

JNO. E. NEFF,
Secretary of State.

On motion, by Mr. Friedley of Lawrence, the Senate took a recess until 3:30 o'clock.

AFTERNOON SESSION.

Senate re-assembled, President in the chair.

Mr. Skinner offered the following concurrent resolution :

WHEREAS, The original boundary line between the States of Indiana and Illinois was fixed at a time before the commercial centers of two States or the territory embraced within them had been established ; and,

WHEREAS, The citizens of a large portion of this State are, by the present boundary lines, separated by a State boundary line from the business center most convenient to them ; therefore, be it

Resolved by the Senate, the House concurring, That a committee of one from each Congressional District in the State be appointed by the Lieutenant Governor to confer with a similar committee of the Legislature of Illinois, having in view the changing of the boundary lines of the two States in such manner as the commercial geography of the territory demands, and that said committee shall serve without per diem.

Mr. Smith offered the following resolution :

Resolved, That the thanks of the members of this Senate are hereby tendered to the Hon. Leonidas Sexton, Lieutenant-Governor, for the efficient, courteous, and fair manner in which he has presided over our deliberations.

Which was unanimously adopted.

On motion by Mr. Bowman, the House concurrent resolution of thanks to Mrs. Sarah A. Oren, State Librarian, was taken up and unanimously adopted.

On motion by Mr. Chapman the House concurrent resolution announcing that the House was ready to adjourn was taken up and concurred in.

Mr. Winterbotham offered the following resolution :

S. J.—82

Resolved by the Senate, the House concurring, That General Daniel Macauley be allowed the sum of one hundred dollars additional compensation for his services as reading Clerk of the Senate.

Which was unanimously adopted.

Mr. Peed offered the following resolution :

Resolved, That the thanks of the Senate be and they are hereby tendered to Secretary Overmyer and his assistants, to Assistant Secretary Smith and his assistants, to Mr. Meniffee, Doorkeeper, and his assistants, for the impartial manner in which they have discharged their respective duties.

Which was adopted.

Report by Mr. Rhodes.

MR. PRESIDENT :

The Joint Committee on State Library beg leave to report that they have examined the condition and management of the State Library since the adjournment of the 47th General Assembly and find that the condition has been much improved under the watchful care of the present efficient Librarian, Mrs. Sarah A. Oren, and that its management has been excellent. During the administration of Mrs. Oren there has been added to the library, for the year 1873, books purchased, 30 volumes; and for the year 1874, 277 volumes; and for the year 1873, books donated, 307 volumes; and for the year 1874, 565 volumes; showing a rapid increase from both these sources. The condition of the library rooms has been much improved, and the books arranged on the shelving and in the cases with more system and order than has heretofore existed.

W. P. RHODES,

Chairman Senate Joint Committee.

JAS. T. JOHNSON,

Chairman House Joint Committee.

Mr. Sarnighausen offered the following resolution :

[[*Resolved,* That the State Librarian be and he is hereby requested

to furnish each Senator with a copy of the Senate and House Journals, Documentary Journal, and Acts of the Regular and Special Session of the General Assembly of 1875.

Which was adopted.

Message from the House by Mr. Holmes, Clerk thereof:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed the following concurrent resolution:

Resolved by the House, the Senate concurring, That Thos. L. Briscoe, Clerk to the Committee on Prison South, be allowed the sum one hundred and seventy-five dollars and forty-five cents.

Report by Mr. Dykeman.

MR. PRESIDENT:

The special committee appointed to investigate into the management of the Insane Asylum at Indianapolis, would report that owing to the press of Legislative business the committee have not had time to make such investigation in the manner that would be satisfactory to the Senate. They might have made a cursory and hurried examination, but such examination would not have been satisfactory to either the committee or the Senate, and owing to the brief period left of the Senate and the session, they ask to be discharged unless the Senate will consent that they may extend their labor to the Special Session.

Mr. Chapman moved that the report do lie on the table and that the committee be discharged.

Which was agreed to.

Message from the House by Mr. Holmes, Clerk thereof:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House refuses to concur in the resolution of the Senate allowing Daniel Macauley one hundred dollars extra pay as Reading Clerk of the Senate.

Also, that the House has passed the following concurrent resolution :

Resolved by the House, the Senate concurring, That both branches do now adjourn sine die.

On motion, by Mr. Skinner, the House Concurrent Resolution relating to the claim of Briscoe was taken up.

Mr. Chapman moved to amend the resolution by adding an allowance of one hundred dollars to Daniel Macauley.

Which was agreed to.

The concurrent resolution, as amended, was then agreed to.

Mr. Stockslager offered the following resolution :

Resolved, That the thanks of the Senate are hereby tendered the Indianapolis, Louisville and Cincinnati papers for the fair and impartial reports made by them of the proceedings of this body.

Which was adopted.

The President submitted the following :

Gentlemen of the Senate :

I have the honor to lay before you the following report of the disbursements of the Senate for the present General Assembly :

Per diem of members.....	\$24,400 00
Mileage of members.....	1,920 00
Per diem of officers.....	1,403 00
Mileage of officers.....	16 00
Per diem of employes.....	8,355 00
Allowed by resolution or by committee.....	686 80
	<hr/>
	\$36,784 80

The last item above does not include the amount allowed by concurrent resolution to the members of the Committee on Prisons. It will be seen by a comparison of the figures above with those furnished two years ago that the total expense of the Senate for the

present session is \$4,908.80 less than that of the Regular Session two years ago. The amount paid employes is less by \$2,747.44 than for the Regular Session of 1873, although the work imposed upon the clerical force has been much greater.

Respectfully,

LEONIDAS SEXTON,

President.

W. H. SMITH,

Assistant Secretary.

On motion, by Mr. Chapman, the Senate adjourned *sine die*.

LEONIDAS SEXTON,

President of the Senate.

JOHN OVERMYER,

Secretary.

W. H. SMITH,

Assistant Secretray.

SPECIAL SESSION, 1875.

TUESDAY MORNING.

MARCH 9, 1875—9 o'clock.

The Senate met in their Chamber in pursuance of the following Proclamation of His Excellency, the Governor:

THE STATE OF INDIANA,

EXECUTIVE DEPARTMENT,

INDIANAPOLIS, March 8, 1875.

Because of a disagreement between the Senate and House of Representatives at the present session of the General Assembly, a failure to pass laws indispensable to the administration of the State Government, including the Revenue and General Appropriation bills, has occurred, and because thereof the public welfare requires a special session of the General Assembly,

Therefore, I, Thomas A. Hendricks, Governor of the State of Indiana, do hereby issue this, my proclamation, and call upon the General Assembly of the State of Indiana to convene in special session on Tuesday, March 9, A. D., 1875, at 9 o'clock in the forenoon.

In testimony whereof, I have hereunto set my hand and caused to be affixed the seal of the State at the city of Indianapolis.

[SEAL.]

THOS. A. HENDRICKS,

Governor of Indiana.

By the Governor:

JOHN E. NEFF, Secretary of State.

The Lieutenant-Governor, President of the Senate, in the chair, called the Senate to order.

By direction of the President, Daniel Macauley, reading Clerk of the last regular session, called the roll of the Senators.

The following Senators responded to their names:

Messrs. William Baxter, for the county of Wayne; James R. Beardsley, for the county of Elkhart; Daniel R. Bearss, for the counties of Miami and Howard; Robert C. Bell, for the county of Allen; A. J. Boone, for the counties of Boone and Clinton; J. A. Bowman, for the counties of Washington and Jackson; William Bunyan, for the counties of Noble and LaGrange; P. Cardwell, for the counties of Hamilton and Tipton; C. W. Chapman, for the counties of Kosciusko and Whitley; R. H. Cree, for the counties of Madison and Delaware; W. Culbertson, for the counties of Ripley, Switzerland and Ohio; Addison Daggy, for the counties of Putnam and Hendricks; Jasper Davidson, for the counties of Gibson and Posey; David D. Dykeman, for the counties of Cass and Carroll; George W. Friedley, for the counties of Lawrence and Monroe; J. H. Friedley, for the counties of Scott, Decatur and Jennings; Noah S. Givan, for the counties of Dearborn and Franklin; J. B. Grove, for the counties of Bartholomew and Brown; E. Hackleman, for the counties of Huntington and Wabash; John F. Harney, for the county of Montgomery; R. M. Haworth, for the counties of Union, Fayette and Rush; J. Henderson, for the counties of St. Joseph and Starke; J. B. Hendricks, for the counties of Pike and Warrick; Wm. R. Hough, for the counties of Hancock and Henry; W. J. Howard, for the counties of Steuben and DeKalb; A. Humphries, for the counties of Greene and Daviess; F. C. Johnson, for the counties of Clarke and Flöyd; James T. Johnson, for the counties of Parke and Vermillion; George Major, for the counties of Jasper, Benton, Newton and White; James Maxwell, for the counties of Morgan and Marion; Andrew J. Neff, for the county of Randolph; D. H. Oliver, for the county of Marion; Henry A. Peed, for the counties of Martin, Orange and Dubois; W. P. Rhodes, for the counties of Warren and Fountain; John L. Roe, for the county of Jefferson; John Sarnighausen, for the counties of Adams, Allen and Wells; Harvey D. Scott, for the county of Vigo; H. D. Sleeth, for the counties of Rush and Decatur; Milo

R. Smith, for the counties of Fulton, Pulaski and Marshall; D. F. Skinner, for the counties of Porter and Lake; M. R. Slater, for the counties of Johnson and Shelby; S. M. Stockslager, for the counties of Crawford and Harrison; W. C. Thompson, for the county of Marion; R. Tobin, for the counties of Spencer and Perry; Isaac Underwood, for the counties of Grant, Blackford and Jay; Henry K. Wilson, for the counties of Sullivan and Knox; J. H. Winterbotham, for the county of LaPorte—47.

On account of sickness an indefinite leave of absence was granted Mr. Ringo.

The President announced the election of a Principal Secretary of the Senate as being now in order.

Mr. Chapman nominated John Overmyer, of the county of Jennings.

There being no other nominations,

Those Senators voting for John Overmyer for Principal Secretary were,

Messrs. Baxter, Beardsley, Bearss, Bell, Boone, Bowman, Bunnan, Cardwell, Chapman, Cree, Culbertson, Daggy, Davidson, Dykeman, Friedley of Lawrence, Friedley of Scott, Givan, Grove, Hackleman, Harney, Haworth, Henderson, Hendricks, Hough, Howard, Humphries, Johnston of Parke, Major, Maxwell, Neff, Peed, Rhodes, Sarnighausen, Scott, Sleeth, Smith, Thompson, Tobin, Underwood, Wilson and Winterbotham—42.

Mr. Overmyer having received the unanimous vote of the Senators present, was declared by the President duly elected Principal Secretary of the Senate.

Mr. Overmyer came forward, took the oath of office and entered upon the discharge of his duties.

The President announced the next business in order to be the election of an Assistant Secretary of the Senate.

Mr. Haworth put in nomination William H. Smith, of the county of Cass.

There being no other nominations,

Those Senators voting for Mr. Smith were,

Messrs. Baxter, Beardsley, Bearss, Bell, Boone, Bowman, Bunyan, Cardwell, Chapman, Cree, Culbertson, Daggy, Davidson, Dykeman, Friedley of Lawrence, Friedley of Scott, Givan, Grove, Hackleman, Harney, Haworth, Henderson, Hendricks, Hough, Howard, Humphries, Johnson of Floyd, Johnston of Parke, Major, Maxwell, Neff, Peed, Rhodes, Sarnighausen, Scott, Sleeth, Smith, Thompson, Tobin, Underwood, Wilson and Winterbotham—42.

Mr. Smith having received the unanimous vote of the Senators present, was declared by the President duly elected Assistant Secretary of the Senate.

Mr. Smith came forward, took the oath of office and entered upon the discharge of his duties.

The next business in order being the election of a Principal Doorkeeper.

Mr. Major put in nomination John O. Hardesty, of the county of Marion.

Mr. Humphries put in nomination E. H. Meniffee, of the county of Madison.

Those Senators voting for John O. Hardesty were,

Messrs. Baxter, Beardsley, Bearss, Bunyan, Cardwell, Chapman, Daggy, Friedley of Lawrence, Friedley of Scott, Hackleman, Haworth, Hough, Howard, Johnston of Parke, Major, Neff, Rhodes, Scott, Sleeth, Thompson, Tobin and Underwood—22.

Those Senators who voted for E. H. Meniffee were,

Messrs. Boone, Cree, Culbertson, Davidson, Dykeman, Grove,

Harney, Henderson, Hendricks, Humphries, Johnson of Floyd, Maxwell, Peed, Sarnighausen, Stockslager, Wilson and Winterbotham—17.

Mr. Hardesty having received a majority of all the votes cast, was declared by the President duly elected principal Doorkeeper of the Senate. The oath of office was administered by the President, and Mr. Hardesty entered upon the discharge of his duties.

On motion by Mr. Sarnighausen a committee of two was appointed to inform the Governor that the Senate was now organized.

The President appointed as said committee Messrs. Sarnighausen and Friedley of Lawrence.

On motion by Mr. Chapman the rules of the last regular session were adopted as the rules of this session.

Mr. Cardwell offered the following resolution :

WHEREAS, The General Assembly, by its members, has just closed a session of sixty days, and has failed to enact any of the necessary appropriations or revenue laws, and has thus so defeated the proper ends of legislation as to require a special session ; therefore,

Be it resolved by the Senate, the House concurring, That the members of this General Assembly serve during the time they are in special session without per diem or mileage.

Mr. Stockslager moved that the resolution do lie on the table.

Messrs. Smith and Winterbotham demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Baxter, Bearss, Boone, Bowman, Bunyan, Daggy, Davidson, Friedley of Lawrence, Friedley of Scott, Givan, Hackleman, Harney, Haworth, Hendricks, Hough, Howard, Johnston of Parke, Major, Maxwell, Neff, Oliver, Peed, Rhodes, Scott, Sleeth, Stockslager, Thompson and Underwood—29.

Those who voted in the negative were,

Messrs. Beardsley, Bell, Cardwell, Cree, Culbertson, Dykeman, Grove, Humphries, Johnson of Floyd, Skinner, Smith, Tobin, Wilson and Winterbotham—14.

So the resolution was laid on the table.

The President announced the appointment of the following pages :

Augustus L. Mason, Eddie B. Brown and Charles L. Lambert.

Mr. Peed offered the following resolution :

Resolved, That a committee of two, on the part of the Senate, be appointed to join a like committee, on the part of the House, to wait upon His Excellency, the Governor, to inform him of the organization of the two Houses and learn of him at what time it will suit his convenience to make whatever communications he may desire to the Legislature.

Which was adopted, and the President announced as said committee Messrs. Peed and Hough.

Message from the House by Mr. Holmes, Clerk thereof:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has adopted the following resolution :

Resolved, That the Senate be informed that the House has organized by electing Hon. David Turpie, Speaker ; Samuel W. Holmes, Principal Clerk ; Thomas C. Mays, Assistant Clerk ; Moses T. Lewman, Doorkeeper ; and that the House is now ready to proceed to legislative business, and the same is herewith transmitted to the Senate.

The President announced as the standing committees of the session the same as were appointed for the last regular session.

Message from the House by Mr. Holmes, Clerk thereof:

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has concurred in the resolution of the Senate to appoint two Senators and three Representatives to wait upon His Excellency, the Governor, etc., and that the House has appointed Messrs. Williams of Boone, and Forkner, on the part of the House, as such committee.

Mr. Harney asked to be excused from serving on the Finance Committee.

Mr. Hough, from the Joint Committee on the part of the Senate to wait upon the Governor, reported that the Governor was ready to meet the Senate and House in joint convention.

Mr. Underwood moved that the Senate request Mr. Harney to remain as a member of the Committee on Finance.

Which was agreed to.

Messrs. Woody and Leeper, a Committee on the part of the House, informed the Senate that the House was now ready to meet the Senate in joint convention to hear the Governor's message.

The Senate, preceded by the President, repaired to the Hall of the House.

JOINT CONVENTION.

The joint convention was called to order by the President, who announced that the Senate and House of Representatives have met in joint convention for the purpose of hearing any communication the Governor may have to make to this body.

Mr. Chapman moved that a committee of two be appointed to wait upon the Governor and inform him of the meeting of the joint convention.

Which was agreed to.

The President appointed as said committee, on the part of the Senate, Mr. Chapman, and on the part of the House, Mr. Davis.

The Committee announced the presence of His Excellency, the Governor, who was, by the President, introduced to the joint convention.

The Governor then delivered the following message :

Gentlemen of the Senate and House of Representatives :

You have been called in special session by virtue of the provision of the Constitution which so authorizes, when the Governor shall be of the opinion that the public welfare requires it. It is your duty to provide for the exigency which has involved the public welfare. When that work shall have been completed, the occasion for the special session will have ceased and your adjournment should immediately follow. You are not in session for the purpose of general legislation.

At the expiration of the legislative period of the recent session there was a disagreement between the Senate and House of Representatives upon some general bills, which were important, if not essential, to the public welfare. Among these were the revenue and general appropriation bills, bills regulating the fees and salaries of public officers and bills regulating the sale of intoxicating liquors. These bills should be put in such shape that the judgment of the two houses may harmonize upon them. I ask that they shall receive your immediate attention. By virtue of the act of December 6, 1872, they stand upon the files of the two Houses for your action as if the two sessions had been one and continuous.

The revenue bill should provide for the ordinary expenditures of the State. Indebtedness should not be created to meet such expenditures. By reference to the pending general appropriation bill you will see that the two houses have agreed upon appropriations for the State service, the benevolent, penal, reformatory and educational institutions, aggregating about nine hundred thousand dollars each year. Under the re-appraisement, as you provided for, the taxable property of the State will not exceed eight hundred and fifty million dollars in value. The poll tax will be about one hundred and thirty thousand dollars. Your estimates should anticipate a delinquency of twenty per centum upon both the property and the poll tax. During the years 1875 and 1876 extraordinary expenditures will be required, as follows: For the construction of an

additional asylum for the insane, \$350,000; for the payment of bonds likely to be presented during the two years under the act of December 12, 1872, \$200,000; and to meet the temporary loan under the act of March 20, 1873, \$910,000. Two hundred thousand dollars of that loan will become due on the 12th instant. The Treasurer of State has made provision for its payment. I do not think that good policy requires that these extraordinary expenditures be provided for wholly by taxation. I recommend that the authority to make a temporary loan, conferred by the act of March 10, 1873, be continued.

I need not remind you that the subject of the proper adjustment of fees and salaries gave you some serious trouble at the late session. I ask you to take it up again and to make such an adjustment as shall be fair both to the people and to the officers. As I suggested in my message in January, all constructive fees and charges should be made impossible, but that the "compensation should be sufficient to command for the public efficient and reliable service, but no greater." Public officers accept their positions with the understanding that their fees and salaries are under legislative control, except in cases in which the constitution otherwise provides, but they have a right to expect that, after their election, their compensation shall not be unreasonably and unjustly reduced.

In my message of January I expressed my views so fully in relation to the regulation of the sale of intoxicating liquors that I now have but little to add. We are without any efficient law on that subject. Society should not be left in that condition. The judgment of the people has been distinctly expressed in favor of a carefully-guarded license law. Their wishes and judgment should find expression in your legislation. The Supreme Court (two Judges dissenting) recently decided that, under existing law, there is no restraint upon the sale of intoxicating liquors on Sunday, in the night time, or on election days, except in cases of sales of liquor to be drunk upon the premises. I need not urge the importance of legislation to correct the defects in existing law.

The necessity for this special session is to be regretted, but the misfortune is mitigated by the fact that the business demanding your attention is in such condition as to require you to remain in session but a very few days. Before the adjournment of the regular session on yesterday, I communicated to the two houses my proclamation for the special session. I desired to prevent any

ruption in the progress of business. I desired, also, to avoid
 sion for you to travel to your homes. As the act of Decem-
 1872, provides mileage for travel actually performed, I have
 Auditor of State that any claim for mileage that might
 not necessarily be for constructive travel, and that it
 be allowed. Should you be of the opinion that I am
 construction of this law, your judgment expressed
 current resolution will be at once respected.

that harmony will characterize your proceedings, and that
 a successful and prompt dispatch of the public business, you
 may have the gratification of an early adjournment.

THOMAS A. HENDRICKS,

Governor of Indiana.

EXECUTIVE DEPARTMENT, March 9, 1875.

The President announced that the purpose for which the joint con-
 vention was called had been completed, and that the joint conven-
 tion was adjourned without day.

The Senators returned to their Chamber and were called to order
 by the President.

Mr. Givan offered the following concurrent resolution:

Resolved by the Senate, the House concurring therein, That the
 General Assembly of the State of Indiana in special session assem-
 bled, will take up and consider the following bills:

1. The bill to provide a revenue to meet the demands of the
 State Government.

2. The General and Specific Appropriation Bills.

3. The Fee and Salary Bill, and the bill fixing the per diem of
 the members of the General Assembly.

4. The Temperance Bill, and that the same be taken up and
 considered by the present session with reference to their position on
 the files.

Mr. Friedley of Lawrence offered the following substitute:

Resolved by the Senate, the House concurring therein, That we will proceed to the consideration of measures recommended in the Governor's Message, and such other measures as the interest of the State demand, and that we will transact that business as speedily as possible and adjourn.

On this Messrs. Peed and Slater demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bearss, Bunyan, Cardwell, Chapman, Daggy, Friedley of Lawrence, Friedley of Scott, Hackleman, Haworth, Hough, Howard, Johnson of Floyd, Johnston of Parke, Major, Neff, Oliver, Rhodes, Scott, Sleeth, Tobin and Underwood—23.

Those who voted in the negative were,

Messrs. Boone, Bowman, Cree, Culbertson, Davidson, Dykeman, Grove, Harney, Henderson, Hendricks, Humphries, Maxwell, Peed, Sarnighausen, Skinner, Slater, Smith, Stockslager, Wilson and Winterbotham—19.

So the substitute was adopted.

Mr. Chapman offered the following:

WHEREAS, House Bills Nos. 492 and 389 passed the House and were amended by the Senate, the House refused to concur, the Senate refused to recede, the House refused to concur in any of the amendments to both of said bills, and asked a committee of conference, which report of the committee was not agreed to on account of time on the last day of the regular session for passing bills, the next day the House returned both bills, by order of the House again notifying the Senate they had not concurred in; therefore,

Be it Resolved, That House Bill No. 389, being here irregularly, the Secretary be required to return said bill to the House with this action.

Which was adopted.

On motion by Mr. Humphries Engrossed House Bill No. 288, a bill to fix the per diem and mileage of members of the General Assembly with Engrossed Senate Amendments, was taken up.

Mr. Humphries moved to reconsider the vote whereby the amendments to the bill were ordered engrossed.

Which was agreed to.

Mr. Humphries moved to reconsider the vote whereby the amendments to the bill were adopted.

Which was agreed to.

Mr. Scott moved that the amendments be considered separately.

Which was agreed to, and the following original report of the Committee on Fees and Salaries was read ;

MR. PRESIDENT :

The Committee on Fees and Salaries, to whom was referred Engrossed House Bill No. 288, entitled "An act to amend sections one and two of an act entitled 'an act fixing the per diem and mileage of members of the General Assembly, etc., have had the same under consideration, and have directed me to submit the following report :

Amend by inserting the following as Section 3 of the bill :

And be it further enacted, That section 3 of an act entitled "An act regulating foreign insurance companies doing business in this State, prescribing the duties of the agent thereof, and of the Auditor of State in connection therewith, and providing penalties for the violation of this act'" be and the same is hereby amended to read as follows, viz :

Section 3. The Auditor of State shall charge and collect for the State of Indiana the sum of five dollars in each case for the examination of statement and investigation of evidence of investment, and two dollars for each certificate of authority issued under the provisions of this act, to be paid by the agent or agents applying for the same, and the Auditor of State shall on the first Tuesday in

April, July, September and December of each year make to the Treasurer of State a sworn statement of the number of statements filed in his office, and of the number of certificates issued under the provisions of this act and of the entire receipts therefor since his last report, and shall pay over to the Treasurer to go into the general fund of the State the entire amount of such receipts, less ten per cent. thereon, which he may retain for his services in collecting the same, and when so amended the committee recommend the passage of said bill.

The question being on the amendment,

It was laid on the table.

The second amendment was laid on the table.

To the third amendment Mr. Dykeman offered the following amendment :

“Strike out all the same referring to railroad passes.”

Which was agreed to.

By consent the emergency clause was stricken out of the amendment as it already exists in the original bill.

Mr. Dykeman offered the following amendment as an additional section :

The pay of the following named officers shall be :

Secretary of the Senate, per day.....	\$6 00
Assistant Secretary of the Senate, per day.....	6 00
Reading Clerk, per day.....	5 00
Minute Clerk, per day.....	5 00
Doorkeeper of the Senate, per day.....	6 00
Assistant Doorkeeper of Senate, per day.....	4 00
Postmaster of Senate, per day.....	3 00
Sweeper of Senate, per day.....	2 50
Paper Folder of Senate, per day.....	2 50
Spittoon Cleaner of Senate, per day.....	2 50
Janitor of Senate, per day.....	2 50
Principal Clerk of House of Representatives, per day.....	6 00
Assistant Clerk of House of Representatives, per day.....	6 00

All other Clerks of House and Senate, per day.....	\$4 00
Committee Clerks, per day.....	3 50
Pages, (both Houses), per day.....	1 50

Mr. Hough offered the following amendment to the amendment :

“That the Principal Journal Clerk be allowed five dollars per day.”

Which was adopted.

Mr. Haworth offered the following amendment to the amendment :

Amend by saying “two dollars per day for Pages.”

Which was adopted.

Mr. Dykeman’s amendment as amended was adopted.

Mr. Howard offered the following amendment :

Amend after the provision for mileage, the following : “*Provided*, That when a special session is called by the Governor to assemble on the day succeeding the expiration of a regular session, no mileage shall be allowed.”

Which was agreed to.

Mr. Dykeman offered the following amendment :

Amend by making the pay of the Speaker of the House ten dollars per day.

Mr. Cardwell moved that the amendment do lie on the table.

Messrs. Dykeman and Slater demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bearss, Boone, Bowman, Bunyan, Cardwell, Chapman, Cree, Davidson, Friedley of Scott, Givan, Hough, Humphries, Johnson of Floyd, Major, Maxwell, Oliver, Peed, Rhodes, Skinner, Slater, Stockslager, Tobin, Underwood and Wilson—26.

Those who voted in the negative were,

Messrs. Bell, Culbertson, Daggy, Dykeman, Friedley of Lawrence, Grove, Hackleman, Harney, Haworth, Hendricks, Henderson, Howard, Johnston of Parke, Sarnighausen, Scott, Sleeth, Smith and Winterbotham—17.

So the motion was agreed to, and the amendment laid upon the table.

Mr. Johnson of Floyd offered the following amendment:

“That no relatives of the members of the General Assembly shall be appointed as employes.”

Mr. Grove moved that the amendment do lie on the table.

Messrs. Slater and Grove demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Baxter, Beardaley, Bearss, Boone, Bowman, Bunyan, Cardwell, Chapman, Cree, Davidson, Givan, Grove, Hackleman, Haworth, Hendricks, Hough, Humphries, Johnston of Parke, Maxwell, Oliver, Scott, Smith and Underwood—23.

Those who voted in the negative were,

Messrs. Bell, Culbertson, Daggy, Dykeman, Friedley of Lawrence, Harney, Henderson, Howard, Johnson of Floyd, Peed, Rhodes, Sarnighausen, Skinner, Slater, Sleeth, Stockslager, Tobin, Wilson and Winterbotham—18.

So the motion was agreed to and the amendment laid on the table.

Mr. Slater offered the following amendment:

“That the pay of the members of the General Assembly shall be five dollars per day.”

Messrs. Slater and Peed demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Bearss, Bowman, Bunyan, Cardwell, Chapman, Culbertson, Dykeman, Friedley of Lawrence, Friedley of Scott, Givan, Hough, Humphries, Johnson of Floyd, Maxwell, Peed, Rhodes, Slater, Stockslager, Underwood, Wilson and Winterbotham—21.

Those who voted in the negative were,

Messrs. Beardsley, Bell, Boone, Cree, Daggy, Davidson, Grove, Hackleman, Harney, Haworth, Henderson, Hendricks, Howard, Johnston of Parke, Major, Oliver, Sarnighausen, Scott, Skinner, Smith, Tobin and Mr. President—22.

So the amendment was not agreed to.

Mr. Skinner offered the following amendment :

“That whenever a Special Session of the General Assembly is occasioned by a failure to pass a revenue bill, no pay whatever shall be allowed members during such extra session.”

Mr. Johnston of Parke, moved that the amendment do lie on the table.

Which was agreed to.

Mr. Johnston of Parke, offered the following amendment :

“By making the pay of the Register Clerk five dollars per day.”

Which was agreed to.

Mr. Givan moved the previous question on the engrossment of the amendments.

Which was seconded by the Senate.

The question being, shall the main question be now put?

It was so ordered.

The question being on the engrossment of the amendments,

It was agreed to.

Mr. Humphries moved to consider the amendments engrossed, and that the bill be read a third time now.

Which was agreed to, and Engrossed House Bill No. 288, (the per diem bill), was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bearss, Boone, Bowman, Bunyan, Cardwell, Chapman, Cree, Culbertson, Daggy, Davidson, Dykeman, Friedley of Lawrence, Friedley of Scott, Givan, Grove, Hackleman, Harney, Haworth, Henderson, Hendricks, Hough, Howard, Humphries, Johnson of Floyd, Johnston of Parke, Major, Maxwell, Neff, Oliver, Peed, Rhodes, Sarnighausen, Scott, Skinner, Slater, Sleeth, Smith, Stockslager, Tobin, Underwood, Wilson and Winterbotham—44.

No Senator voting in the negative.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was referred to the Joint Committee on Titles.

On motion, by Mr. Peed, the Senate took a recess until 2 o'clock p. m.

AFTERNOON SESSION.

Senate re-assembled, President in the chair.

Message from the House, by Mr. Holmes, Clerk thereof:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed the following resolution:

Resolved, That a committee of conference on the part of the House be appointed to act with a like committee on the part of the Senate, whose duty it shall be to consider and adjust the difference between the two Houses on House Bill No. 453 and Senate Bill No. 318, on the subject of fees and salaries.

And the same is herewith transmitted to the Senate.

I am further directed to inform the Senate that Messrs. Davidson and Pfafflin have been appointed as such committee on the part of the House.

Also, that the House has passed the following resolution :

Resolved by the House of Representatives, the Senate concurring, That a committee of conference be appointed under the joint rule of said bodies for the purpose of conferring as to the disagreement of said Senate and House in relation to House Bill No. 496, being the specific appropriation bill lost at the regular session; and that in pursuance of said resolution the Speaker has appointed Messrs. Martin of Wells, and Forkner as such committee on the part of the House.

Mr. Chapman demanded a call of the Senate.

Those Senators answering to their names were,

Messrs. Baxter, Beardsley, Bearss, Bell, Boone, Bowman, Bunyan, Cardwell, Chapman, Cree, Culbertson, Daggy, Davidson, Dykeman, Friedley of Scott, Givan, Grove, Hackleman, Harney, Haworth, Henderson, Hendricks, Hough, Howard, Johnson of Floyd, Johnston of Parke, Major, Maxwell, Neff, Peed, Rhodes, Roe, Sarnighausen, Scott, Skinner, Slater, Sleeth, Stockslager, Tobin, Underwood and Winterbotham—41.

On motion, by Mr. Chapman, the further call of the Senate was dispensed with.

Message from the House by Mr. Holmes, Clerk thereof:

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed the following concurrent resolution :

Resolved by the House of Representatives, the Senate concurring,
That this General Assembly do adjourn *sine die* on Tuesday next,
the 16th inst., at 12 o'clock.

And the same is herewith transmitted to the Senate.

Mr. Rhodes moved that Senate Bill No. 318, a bill fixing the fees and salaries of the officers therein named, providing penalties, etc., repealing certain laws and declaring an emergency, be taken up and re-committed to the Committee on Fees and Salaries.

Mr. Dykeman offered the following:

Resolved, That as a substitute for all the motions on file appertaining to the fee and salary bill, that the Senate concur in the concurrent resolution of the House asking a committee on conference of two from the House and two from the Senate, to act as a conference committee, to whom shall be referred the Senate and House Bills on Fees and Salaries.

Which was agreed to.

The President appointed as said committee, on the part of the Senate, Messrs. Rhodes and Wilson.

Mr. Bunyan moved to take up House Bill No. 16, a bill regulating the salary of the Governor of State.

Which was agreed to, and the bill read a third time.

By unanimous consent, Mr. Bcone moved to amend the bill by striking out the word "seven," at the end of line six, in section four, and inserting the word "six."

Which was agreed to.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bearss, Bell, Boone, Bowman, Bunyan, Cardwell, Cree, Culbertson, Daggy, Dykeman, Friedley of Lawrence, Friedley of Scott, Givan, Grove, Hackleman, Harney, Haworth, Henderson, Hendricks, Hough, Howard, Humphries, Johnson of Floyd, Johnston of Parke, Major, Maxwell, Neff,

Oliver, Peed, Rhodes, Roe, Scott, Skinner, Slater, Stockslager, Tobin, Underwood and Winterbotham—31.

Those who voted in the negative were,

Messrs. Sarnighausen, Sleeth and Smith—3.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Ordered, that the Secretary inform the House of the passage of the bill.

Message from the House by Mr. Holmes, Clerk thereof:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed House Bill No. 49. An act to amend section 1, also to repeal sections 2 and 3 of the revenue act of 1872, etc.

And the same is herewith transmitted to the Senate.

Mr. Johnston of Parke demanded a call of the Senate.

Those who answered to their names were,

Messrs. Baxter, Beardsley, Bearss, Bell, Boone, Bowman, Bunnan, Cardwell, Chapman, Cree, Culbertson, Daggy, Davidson, Dykeman, Friedley of Lawrence, Friedley of Scott, Givan, Grove, Hackleman, Harney, Haworth, Henderson, Hendricks, Hough, Howard, Humphries, Johnson of Floyd, Johnston of Parke, Major, Maxwell, Neff, Oliver, Peed, Roe, Sarnighausen, Scott, Skinner, Slater, Sleeth, Smith, Stockslager, Tobin, Underwood and Winterbotham—44.

On motion by Mr. Daggy the further call was dispensed with.

On motion by Mr. Peed Engrossed House Bill No. 479, a bill to

raise revenue for State purposes, etc., was taken up and read a first time.

On motion by Mr. Chapman the Senate went into Committee of the whole Senate, with Mr. Chapman in the chair, to consider the bill.

The Committee arose, and through their chairman made the following report:

MR. PRESIDENT:

Your Committee of the Whole Senate have had Engrossed House Bill No. 479, under consideration, and report the same back with the recommendation that it pass without amendment.

Which was concurred in.

Mr. Chapman moved to suspend the constitutional rule requiring bills to be read on three several days, that the bill may be read a second time by title and a third time by sections now.

Mr. Hough raised the point of order that this bill being for the purpose of raising revenue for State purposes could not, under the rule of the Senate, be read a second time to-day, but must go over until to-morrow for a second reading.

The President decided the point of order well taken, and the bill was placed on the calendar.

Mr. Friedley of Scott moved to take up Engrossed House Bill No 491, a bill to legalize the official acts of the Board of Trustees of the town of North Vernon, etc.

Messrs. Slater and Winterbotham demanded the ayes and noes.

Those who voted in the affirmative were

Messrs. Baxter, Beardsley, Bearss, Bunyan, Cardwell, Chapman, Daggy, Friedley of Lawrence, Friedley of Scott, Hackleman, Haworth, Hough, Howard, Johnston of Parke, Neff, Olver, Scott, Tobin and Underwood—19.

Those who voted in the negative were,

Messrs. Bell, Boone, Bowman, Cree, Culbertson, Dykeman, Davidson, Grove, Harney, Henderson, Hendricks, Johnson of Floyd, Major, Maxwell, Peed, Roe, Sarnighausen, Slater, Smith, Stockslager and Winterbotham—21.

So the motion was not agreed to.

Message from the House by Mr. Holmes, Clerk thereof:

MR. PRESIDENT:

I am directed to inform the Senate that the House refuses to concur in the amendments to House Bill No. 16, and the same is herewith transmitted to the Senate.

On motion, by Mr. Chapman, the message from the House on Engrossed House Bill No. 496, the special appropriation bill was taken up.

Mr. Hough offered the following resolution:

Resolved, That House Bill No. 496 and the message from the House therein be returned to the House with the request that the message be amended so as to indicate the amendment of the Senate to the bill, which the House concurs in and the amendments which they refuse to concur in.

Which was adopted.

On motion, by Mr. Smith, the message from the House on Engrossed House Bill No. 16, a bill regulating the Governor's salary, was taken up.

Mr. Boone moved that the Senate recede from its amendments to the bill and make the time of taking effect of this act October 1, 1876.

Which was agreed to.

On motion, by Mr. Neff, the Senate adjourned until to-morrow morning 10 o'clock.

LEONIDAS SEXTON,

President of the Senate.

WEDNESDAY MORNING.

MARCH 10, 1875—10 O'CLOCK.

Senate assembled, President in the chair.

Journal of yesterday read, corrected and approved.

Mr. LaRue, Senator from the county of Tippecanoe, appeared and took his seat.

Message from the House by Mr. Holmes, Clerk thereof:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed the following resolution:

Resolved, That the House appoint a committee of two to meet a like committee on the part of the Senate, constituting a committee of free conference on House Bill No. 489, being the general appropriation bill, and that the Speaker has appointed Messrs. Collins and Glasgow as such committee upon the part of the House.

Also, that the House has passed the following resolution, to-wit:

Resolved by the House of Representatives, the Senate concurring, That a committee of conference be appointed, consisting of two from each house to consider and report upon House Bills No. 174 and Senate Bill No. 15, being the temperance bills of the House and Senate, and that Messrs. Bence and Kennedy of Montgomery, have been appointed as such committee upon the part of the House.

Also, that the House has passed the following resolution:

Resolved by the House of Representatives, the Senate concurring, That a committee of conference under joint rules No. 7 be appointed to confer as to the disagreement of said bodies in relation to House Bill No. 496, the specific appropriation bill, and that the Speaker has appointed Messrs. Martin of Wells and Lanham as such committee on the part of the House.

Leave of absence was granted Mr. Oliver until to-morrow morning.

Mr. Dykeman moved to take up the House Concurrent Resolution reported by message this morning on House Bill No. 489, the general appropriation bill, and House Bill No. 174, and Senate Bill No. 15, the Temperance Bills, and House Bill No. 496, the Specific Appropriation Bill, asking a committee of conference.

Which was agreed to.

The question being on the House resolution for a committee of free conference on House Bill No. 489, the general appropriation bill,

It was agreed to, and the President appointed on the part of the Senate, as said committee, Messrs. Chapman and Harney.

The question being on the House resolution for a committee of free conference on Senate Bill No. 15, the Temperance Bill, and House Bill No. 174, the Temperance Bill,

It was agreed to, and the President appointed as said committee on the part of the Senate, Messrs. Daggy and Davidson.

The question again being on the House resolution for a committee of free conference on House Bill No. 496, the specific appropriation bill,

It was agreed to, and the President appointed as such committee on the part of the Senate, Messrs. Howard and Slater.

Mr. Chapman moved that the Senate adhere to its amendments on the specific appropriation bill.

Which was agreed to.

Mr. Johnson of Floyd moved to take from the files Engrossed House Bill No. 86, "A bill to abolish the Twenty-seventh Judicial Circuit, and the Criminal Circuit Courts therein," etc., and put it upon its passage.

Mr. Smith moved that the motion do lie on the table.

Which was agreed to.

Message from the House by Mr. Holmes, Clerk thereof:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has concurred in the following amendments of the Senate to House Bill No. 496, to-wit:

Section —. That Martin A. Reeder, for carpenter work on Reformatory Institution for Boys, be allowed two thousand seven hundred and seventy-one dollars.

Also, Sec. 35. Allowing James B. Smith \$4,303 for paving.

Also, Sec. 36. To Franklin Life Insurance Company \$165.

Also, Sec. 38. Allowing Journal Company \$480 for statutes.

Also, Sec. 40. Allowing Alex. Coquillard \$50 for failure of title.

Also, Sec. 41. Allowing Leonidas Sexton \$192.

Also, Sec. 42. That Aaron A. Hart be allowed the sum of \$150.

And further, that the House refuses to concur in all other amendments of the Senate.

And the bill and amendments are herewith returned to the Senate.

On motion by Mr. Beardsley, the Senate took a recess until 2 o'clock p. m.

AFTERNOON SESSION.

Senate re-assembled, President in the chair.

Mr. Dykeman asked permission to introduce a bill appropriating twenty-five thousand dollars to defray the expense of the Special Session.

Objection being made,

Messrs. Dykeman and Sarnighausen demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Baxter, Bearss, Bunyan, Daggy, Dykeman, Friedley of Lawrence, Friedley of Scott, Hackleman, Haworth, Hough, Johnston of Parke, LaRue, Major, Neff, Rhodes, Sarnighausen, Scott and Underwood—18:

Those who voted in the negative were,

Messrs. Bell, Boone, Bowman, Cardwell, Chapman, Cree, Culbertson, Davidson, Grove, Humphries, Johnson of Floyd, Maxwell, Peed, Roe, Smith, Stockslager and Winterbotham—17.

So the permission was granted, and Mr. Dykeman introduced Senate Bill No. 364, a bill appropriating twenty-five thousand dollars to defray the expenses of the special session of the General Assembly for the year 1875.

Which was read a first time.

Mr. Smith moved that the bill be rejected.

Messrs. Smith and Winterbotham demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Bell, Bowman, Cardwell, Grove, Harney, Humphries, Johnson of Floyd, Maxwell, Rhodes, Roe, Smith, Wilson and Winterbotham—13.

Those who voted in the negative were,

Messrs. Baxter, Beardsley, Bearss, Boone, Bunyan, Cree, Daggy, Dykeman, Friedley of Lawrence, Friedley of Scott, Hackleman, Haworth, Hendricks, Hough, Johnston of Parke, LaRue, Major, Neff, Sarnighausen, Scott, Skinner, Stockslager and Underwood—23.

So the bill was not rejected.

By consent, the bill was then referred to the Committee on Finance.

Mr. Dykeman moved that Engrossed House Bill No. 497, a bill to raise revenue for State purposes, etc., be now taken up.

Which was agreed to and the bill read a second time.

Mr. Bell moved that the constitutional rule requiring bills to be read on three several days be suspended, that the bill may be read a third time now.

The ayes and noes being taken under the rule,

Those who voted in the affirmative were,

Messrs. Beardsley, Bearss, Bell, Boone, Bowman, Bunyan, Cardwell, Chapman, Cree, Culbertson, Daggy, Davidson, Dykeman, Friedley of Lawrence, Friedley of Scott, Grove, Hackleman, Harney, Haworth, Henderson, Hendricks, Hough, Humphries, Johnson of Floyd, LaRue, Major, Maxwell, Neff, Peed, Rhodes, Sarnighausen, Scott, Skinner, Sleeth, Smith, Stockslager, Tobin, Underwood and Winterbotham—39.

Messrs. Baxter and Johnston of Parke voting in the negative.

So the constitutional rule was suspended and the bill read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Beardsley, Bearss, Bell, Boone, Bowman, Bunyan, Chapman, Cree, Culbertson, Daggy, Davidson, Dykeman, Friedley of Lawrence, Friedley of Scott, Grove, Hackleman, Harney, Haworth, Hendricks, Hough, Humphries, Johnson of Floyd, Johnston of Parke, LaRue, Major, Maxwell, Neff, Peed, Roe, Sarnighausen, Scott, Skinner, Sleeth, Smith, Stockslager, Tobin, Underwood and Winterbotham—38.

Senator Baxter voting in the negative.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Ordered, That the Secretary inform the House of the passage of the bill.

Mr. Chapman offered the following report :

MR. PRESIDENT :

The Joint Committee of Free Conference, to whom was referred House Bill No. 489, being the general appropriation bill, have had the same under consideration, and have agreed to report the bill back to the House, recommending the adoption of the amendments of the Senate.

Which was concurred in.

Report by Mr. Chapman.

MR. PRESIDENT :

Your Committee on Finance, to whom was referred Engrossed House Bill No. 452, entitled "An act to amend section one of an act authorizing the Governor, Auditor and Treasurer of State to make temporary loans," have given such bill careful consideration, and have directed me to report the same back to the Senate with the following amendments, and recommend that when the bill is so amended the same do pass.

Amend the first section by striking out all after the word "purpose," in the fourth line, and inserting the following, "of providing for the payment of the temporary loan debt, which has heretofore been contracted for the purpose of carrying on the State Government, it shall be lawful for the Governor, Auditor and Treasurer of State to make temporary loans to make payment of such debt as the same shall become due; and such temporary loans shall be repaid out of the funds raised by the revenue provided for at the present session of the General Assembly, if the same shall be sufficient."

Amend section two by inserting after the word "act," in the second line, the words "for the purpose of paying such indebtedness."

Which was concurred in.

Message from the House by Mr. Holmes, Clerk thereof.

MR. PRESIDENT:

I am directed by the Speaker of the House to inform the Senate that the Speaker has signed Enrolled House Bill No. 44, and the same is herewith transmitted to the Senate for the signature of the President thereof.

Message from the House by Mr. Holmes, Clerk thereof.

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has concurred in the amendments of the Senate to House Bill No. 288, as follows:

Amend the amendments fixing the pay of the employes of the Senate and House as follows:

Amend by adding the following: Insert after the words "Assistant Clerk of the House, \$6.00;" the following: "Engrossing and Enrolling Clerks of the House and Senate, \$5.00 per day; Principal Journal Clerk of the House, per day, \$5.00; Minute Clerk of the House, per day, \$5.00; File Clerk of the House and Senate, per day, \$5.00; Entry Clerk of the House, per day, \$5.00."

Also, that the House refuses to concur in the amendments of the Senate amending section 3 of said bill, amending section 3 of the insurance law.

And the bill and amendments are herewith transmitted to the Senate.

Engrossed House Bill No. 452, an act to amend section 1 of an act entitled "An act authorizing the Governor, Auditor and Treasurer of State to make temporary loans."

Was read a second time and the amendments were ordered engrossed.

The President announced that he had signed Enrolled House Act No. 44, an act in reference to county commissioners.

Mr. Sleeth offered the following resolution of censure:

WHEREAS, His Excellency, the Governor, in the use of the following language in his message to this Special Session : "As the act of December the 19th, 1872, provides for mileage actually performed I have advised the Auditor of State that any claim for mileage that might be made must necessarily be for constructive travel and that it should not be allowed," and in his action in giving to the Auditor of State the notice above referred to assumes that the members of this body are without honor or honesty, and will attempt to draw money from the public treasury in violation of law, unless prevented by the Executive Department, and that the emergency required the special intervention of his Excellency to anticipate the presentation of such unlawful claims by the members of this General Assembly and to stop their payment by an official notice to the Auditor of State in the nature of a garnashee on that officer to prevent the members of the General Assembly from plundering the public treasury ; and,

WHEREAS, This branch of the General Assembly has the utmost confidence in the honesty and integrity of all of its own members, and believe that no member of this Senate has in the discharge of his official duties by word, vote or act, merited the assumption on the part of the Executive Department that would attempt to claim for mileage that must necessarily be for constructive travel, or for any other purpose not fully and fairly authorized by law ; therefore,

Resolved, That it is the sense of this Senate that that portion of the late Message of His Excellency, the Governor, above set forth, so far as it relates to the members of this Senate, is an unjust and unwarrantable assumption of dishonesty and unfaithfulness in the discharge of public duty on our part, and an unmerited reflection on the honor of every member of this Senate, and on the good judgment of our constituents who sent us here.

Mr. Sleeth moved that the consideration of the resolution be postponed until to-morrow morning, 10 o'clock.

Mr. Friedley of Lawrence demanded a call of the Senate.

Those who answered to their names were,

Messrs. Baxter, Beardsley, Bearss, Bell, Boone, Bowman, Bunnan, Cardwell, Chapman, Cree, Culbertson, Daggy, Davidson;

Dykeman, Friedley of Lawrence, Friedley of Scott, Grove, Hackleman, Harney, Haworth, Henderson, Hendricks, Hough, Humphries, Johnson of Floyd, Johnston of Parke, LaRue, Major, Maxwell, Neff, Peed, Roe, Sarnighausen, Scott, Skinner, Sleeth, Smith, Stockslager, Tobin, Underwood, Wilson and Winterbotham—42.

The further call of the Senate was dispensed with.

Mr. Bell moved that the motion of Mr. Sleeth to postpone the further consideration of the resolution until to-morrow at 10 o'clock, do lie on the table.

Messrs. Smith and Peed demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Boone, Bowman, Cree, Culbertson, Davidson, Dykeman, Grove, Harney, Hendricks, Humphries, Johnson of Floyd, Major, Maxwell, Peed, Roe, Sarnighausen, Skinner, Smith, Stockslager, Wilson and Winterbotham—21.

Those who voted in the negative were,

Messrs. Baxter, Beardsley, Bearss, Bunyan, Cardwell, Chapman, Daggy, Friedley of Lawrence, Friedley of Scott, Hackleman, Haworth, Hough, Johnston of Parke, LaRue, Neff, Rhodes, Scott, Sleeth, Tobin and Underwood—20.

So the motion to postpone was laid on the table.

Mr. Bell, who was paired with Mr. Gooding, desired the record to show that he would have voted "aye" on the motion to lie on the table.

Mr. Henderson, who was paired with Mr. Oliver, desired the record to show that he would have voted "aye" on the same motion,

Mr. Bell moved that the resolution offered by Mr. Sleeth, do lie on the table.

Messrs. Dykeman and Johnston of Parke demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Boone, Bowman, Cree, Culbertson, Davidson, Dykeman, Grove, Harney, Hendricks, Humphries, Johnson of Floyd, Major, Maxwell, Peed, Sarnighausen, Skinner, Slater, Smith, Stockslager, Wilson and Winterbotham—21.

Those who voted in the negative were,

Messrs. Baxter, Beardsley, Bearss, Bunyan, Cardwell, Chapman Daggy, Friedley of Lawrence, Friedley of Scott, Hackleman, Haworth, Hough, Johnston of Parke, LaRue, Neff, Rhodes, Roe, Scott, Sleeth, Tobin, Underwood and Mr. President—22.

So the motion was not agreed to.

Mr. Bell, who was paired with Mr. Gooding, desired the record to show that he would have voted "aye" on the motion to lay the resolution on the table.

On motion by Mr. Sleeth, the consideration of the resolution was postponed until 2 o'clock p. m. to-morrow.

Report by Mr. Daggy, from Committee on Conference:

MR. PRESIDENT:

The Committee on Conference, on the part of the House and Senate, have had under consideration Senate Bill No. 15, together with the proposed amendments, thereto and have failed to agree upon any report or recommendation, and therefore ask to be discharged.

Mr. Dykeman moved that the Senate do recede from Senate amendments to section 4 of Senate Bill No. 15, the temperance bill.

Mr. Peed moved that the motion do lie on the table.

Pending which, Mr. Johnston of Parke moved that the Senate do now adjourn.

Which was agreed to.

LEONIDAS SEXTON,

President of the Senate.

THURSDAY MORNING.

MARCH 11, 1875, 10 O'CLOCK.

Senate assembled, President in the chair.

Journal of yesterday read and approved.

Mr. H. C. Gooding, Senator from the county of Vanderburgh, appeared and took his seat.

Message from the House by Mr. Holmes, Clerk thereof:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed the following resolution:

Resolved by the House, the Senate concurring, That a second Committee of Conference be appointed to take into consideration the difference between the two Houses upon the subject of temperance, upon House Bill No. 174, and Senate Bill No. 15, and that Messrs. Davis and Pfafflin have been appointed on the part of the House as said Committee.

Message from the House by Mr. Holmes, Clerk thereof:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has concurred in the amendments of the Senate to House Bill No. 16, that the House has adopted the report of the Committee of Conference on House Bill No. 489, and that in pursuance of said report the House has concurred in the amendments of the Senate said House Bill No. 489, and that it is expected by the House that the Senate will pass House Bill No. 452, with or without the Chapman amendments thereto.

On motion by Mr. Humphries the concurrent resolution from the House was taken up, in relation to the Senate and House Bills on the subject of temperance, for a committee of free conference.

The question being on concurring in the resolution.

Messrs. Dykeman and Bell demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Bell, Boone, Bowman, Cree, Culbertson, Davidson, Dykeman, Friedley of Lawrence, Givan, Gooding, Grove, Harney, Henderson, Hendricks, Humphries, Maxwell, Peed, Sarnighausen, Slater, Smith, Stockslager, Thompson, Wilson and Winterbotham—24.

Those who voted in the negative were,

Messrs. Baxter, Beardsley, Bunyan, Cardwell, Chapman, Daggy, Friedley of Scott, Hackleman, Haworth, Hough, Howard, Johnston of Parke, LaRue, Neff, Oliver, Rhodes, Roe, Scott, Sleeth Underwood—20.

So the concurrent resolution was adopted, and the President appointed as said Committee, on the part of the Senate, Messrs. Sleeth and Wilson.

Message from the House by Mr. Holmes, Clerk thereof.

MR. PRESIDENT :

I am directed by the Speaker of the House to inform the Senate that the House has passed House Bill No. 1, report by the Committee of Free Conference of the two Houses upon the subject of Fees and Salaries, entitled "An act to amend section 3 of an act entitled 'an act to regulate foreign insurance companies doing business in this State, prescribing the duties of agents thereof, and of the Auditor of State in connection therewith, and prescribing penalties for the violation of this act,'" approved December 21, 1865, and the same is herewith transmitted to the Senate.

Report by Mr. Rhodes.

MR. PRESIDENT :

The Committee on Conference on the subject of Fees and Salaries

on the part of the Senate, have been in conference with a like committee on the part of the House, and after a full examination of the matters referred to them, have agreed upon the following basis of settlement, to-wit :

That the Auditor of State shall have a salary of fifteen hundred dollars per year, and the sum of three thousand dollars per year for deputy hire, and that he shall be allowed twenty-five per cent. on fees paid by insurance companies.

That the Clerk and Sheriff shall be paid a specific fee and the Auditor and Treasurer of counties be paid partly by salary and partly by fee. It has been further agreed that the accompanying bill shall be adopted as an amendment to the House amendment to Senate Bill No. 318, and that the title be amended as set forth in the accompanying bill. They therefore recommend that the House amendments to Senate Bill No. 318 be concurred in by amending the same as follows, to wit: Insert the accompanying bill; and they further recommend that the title to said act, when so amended, be amended to read as follows, to-wit: Insert the accompanying titles. And when so amended they recommend that said amendments be concurred in.

The question being on concurring in the report of the Committee.

Messrs. Slater and Peed demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bearss, Bell, Boone, Bowman, Bunnan, Cardwell, Chapman, Cree, Culbertson, Daggy, Davidson, Dykeman, Friedley of Lawrence, Friedley of Scott, Givan, Gooding, Grove, Hackleman, Harney, Haworth, Henderson, Hendricks, Hough, Howard, Humphries, Johnson of Floyd, Johnston of Parke, LaRue, Major, Maxwell, Neff, Oliver, Peed, Rhodes, Roe, Scott, Skinner, Slater, Sleeth, Smith, Stockslager, Thompson, Tobin, Underwood, Wilson and Winterbotham—48.

Mr. Sarnighausen voting in the negative.

So the report was concurred in.

MR. PRESIDENT:

I enter my protest against the necessity of voting for the Conference Committee fee and salary bill rendered necessary by a refusal of the House of Representatives to pass the Senate bill, which was a reform such as the people demanded and such as all the political parties pledged themselves in their party platforms to favor in their legislation on that subject. This bill makes but little change from the present one in the amount paid to officers in medium counties, such as Randolph, Delaware, Madison, Hamilton and Greene, while it increases the amount paid in small counties. The only benefit to the people is in populous counties, such as Marion, Tippecanoe and Allen. I voted for this bill because the House forces it upon me as a compromise measure so that we may adjourn at an early day.

A. J. NEFF,

Randolph County.

Mr. Baxter offered the following protest:

MR. PRESIDENT:

I vote for the Fee and Salary Bill under protest, believing as I do that it does not reduce the fees and salaries to such an extent as will do justice to the taxpayers of the State.

WILLIAM BAXTER.

March 11, 1875.

Mr. Neff moved to take up the House concurrent resolution on the subject of adjournment.

Which was not agreed to.

Mr. LaRue moved to take up House Bill No. 452, the Loan Bill.

Which was agreed to and Engrossed House Bill No. 452, a bill authorizing the Governor and State officers to loan money, etc., was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Beardsley, Bearss, Bell, Boone, Bowman, Cardwell, Chapman, Cree, Culbertson, Daggy, Davidson, Dykeman, Friedley of Lawrence, Givan, Grove, Hackleman, Harney, Henderson, Hendricks, Humphries, Johnson of Floyd, Johnston of Parke, LaRue, Major, Maxwell, Peed, Roe, Sarnighausen, Skinner, Slater, Smith, Stockslager, Thompson, Tobin and Winterbotham—35.

Those who voted in the negative were,

Messrs. Bunyan, Friedley of Scott, Haworth, Hough, Howard, Neff, Oliver, Scott and Underwood—9.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Ordered, that the Secretary inform the House of the passage of the bill.

On motion by Mr. Johnston of Parke, House Bill No. 1, an act to amend section 3 of an act to regulate foreign insurance companies doing business in this State, was taken up and read a first time.

Mr. Daggy moved that the constitutional rule, requiring bills to be read on three several days be suspended that the bill may be read a second time by title and a third time by sections now.

The ayes and noes being taken under the rule,

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bearss, Bell, Boone, Bowman, Bunyan, Cardwell, Chapman, Cree, Culbertson, Daggy, Davidson, Dykeman, Friedley of Lawrence, Givan, Gooding, Grove, Hackleman, Harney, Haworth, Henderson, Hough, Howard, Humphries, Johnson of Floyd, Johnston of Parke, LaRue, Major, Maxwell,

Neff, Oliver, Peed, Rhodes, Roe, Sarnighausen, Scott, Skinner, Slater, Smith, Stockslager, Thompson, Tobin, Underwood and Winterbotham—45.

No Senator voting in the negative.

So the constitutional rule was suspended and the bill read a second time by title and a third time by sections.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bearss, Bell, Boone, Bowman, Bunnan, Cardwell, Chapman, Cree, Culbertson, Daggy, Davidson, Dykeman, Friedley of Lawrence, Friedley of Scott, Givan, Gooding, Grove, Hackleman, Harney, Haworth, Henderson, Hendricks, Hough, Howard, Humphries, Johnson of Floyd, Johnston of Parke, LaRue, Major, Maxwell, Neff, Oliver, Peed, Rhodes, Roe, Sarnighausen, Scott, Skinner, Slater, Smith, Stockslager, Thompson, Tobin, Underwood and Winterbotham—47.

No Senator voting in the negative.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Ordered, that the Secretary inform the House of the passage of the bill.

Report by Mr. Howard :

MR. PRESIDENT :

We, the undersigned, appointed by the Senate to act with a like number appointed by the House of Representatives, as a Committee of Conference upon the points of disagreement in regard to House Bill No. 496, being the Specific Appropriation Bill, make the following report of the action of such Committee :

We have unanimously agreed that the Senate shall recede from its amendments to the following sections, to-wit: Sections 8, 13, 22, 27 and 31.

And that the Senate recede from its amendments to section 12, and that in lieu thereof said section be amended so as to read as follows:

Sec. 12. That Braden & Burford be allowed the sum of thirteen hundred and forty-eight dollars, in full for stationery heretofore furnished James DeSano, State Librarian, in the year 1872, and for all other stationery by them furnished for the use of the General Assembly, and the committees thereof, excepting so much thereof as is provided for in section 25 of this act.

And in regard to section 19, which allows Patrick Shannon the sum of \$2,955.54, for contingent expenses of the office of Agent of State, in the years 1871 and 1872, the Committee of Conference was unable to agree.

And in regard to section 53, which allows John B. Glover the sum of five hundred dollars for his closing up the affairs of the State Sinking fund, the Committee was also unable to agree.

And it was agreed that the Senate shall recede from its amendments, striking out section 26, and that said section be amended by striking out the words "thirteen hundred and twenty dollars," and inserting in lieu thereof the words "one thousand dollars in full."

And the Senate recede from its amendments to section 32, and that said section be amended as follows, by striking out the words "twenty-five thousand dollars," and inserting in lieu thereof the following words, "twenty thousand dollars, of which the sum of five thousand dollars shall not be drawn from the State Treasury till the 15th day of December, 1875."

And that the Senate recede from its amendments, striking out section 33, and that the same be amended by striking out the words "twenty-four dollars," and inserting the words "fifteen dollars."

And that the Senate amendments to sections 10, 18 and 29 be concurred in by the House of Representatives.

And that the House of Representatives shall recede from its refusal to concur in the following sections agreed upon by the Senate as amendments to said bill, to-wit: Sections 34, 37, 43, 45, 46, 47, 48, 49, 51, 54, 55, 56, 57, 58, 59, 60, 62, 63 and 64.

And that the House of Representatives recede from its refusal to concur in section 50, and that the same be amended by striking out the words "five hundred and ninety-one dollars," and inserting in lieu thereof the words "four hundred and seventy-five dollars."

And that the House of Representatives recede from its refusal to concur in section 52, and that the same be amended by inserting after the words "State House plans," the words "and the Committee on Public Buildings."

And that the refusal of the House of Representatives to concur in section 44 be agreed to by the Senate, and said section be stricken out.

And that the House of Representatives recede from its refusal to concur in section 61, and the same be amended by inserting the following allowances at the close thereof:

To Mr. Heller.....	\$50 00
" T. Bellows.....	50 00
" D. R. Leeper.....	50 00
" E. B. Glasgow.....	34 50
" N. H. Shaffer.....	34 50
" J. S. Davis.....	12 00
" Evans.....	34 50

And the said committee were instructed by resolution of the House of Representatives to incorporate the following additional section to the bill for the consideration of the Senate, to-wit:

Sec. 65. That the sum of one thousand dollars be and the same is hereby appropriated to purchase a safe for the office of the Clerk of the Supreme Court.

The question being on concurring in the report of the Committee,

Pending which, on motion by Mr. Chapman, the Senate took a recess until 2 o'clock p. m.

AFTERNOON SESSION.

Senate re-assembled, President in the chair.

Message from the House by Mr. Holmes, Clerk thereof:

MR. PRESIDENT:

I am directed by the Speaker of the House to inform the Senate that the House has concurred in the engrossed amendments of the Senate to the House amendments to Senate Bill No. 318, and said amendments are herewith returned to the Senate.

Also, that the House has concurred in engrossed amendments of the Senate to House Bill No. 452.

Also, that the House has passed the following concurrent resolution, to-wit:

Resolved by the House, the Senate concurring, That the Secretary be and he is hereby instructed to have the acts of the general and special session of the Legislature for the year 1875, published in one and the same volume, and that he have the House Journal for said session published in one volume and the journal of the Senate published in one volume.

And the same is herewith transmitted to the Senate.

Mr. Davidson offered the following concurrent resolution:

Resolved by the Senate, the House concurring, That this General Assembly adjourn *sine die* to-morrow, Friday, 12th, at 12 o'clock M.

Mr. Sleeth moved to amend the resolution by making the time Saturday at 12 o'clock.

Mr. Chapman moved that the resolution do lie on the table.

Which was not agreed to.

The question recurring on the amendment of Mr. Sleeth,

Messrs. Slater and Chapman demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Bell, Bowman, Cree, Culbertson, Daggy, Dykeman, Givan, Hackleman, Hendricks, Hough, Maxwell, Oliver, Peed, Roe, Sarnighausen, Skinner, Sleeth, Thompson, Tobin, Underwood and Wilson—21.

Those who voted in the negative were,

Messrs. Baxter, Beardsley, Bearss, Boone, Bunyan, Chapman, Davidson, Friedley of Scott, Grove, Harney, Haworth, Howard, Humphries, Johnson of Floyd, Johnston of Parke, LaRue, Major, Neff, Rhodes, Scott, Slater, Smith, Stockslager and Winterbotham—24.

So the amendment was not agreed to.

Mr. Slater moved to amend by making the time of adjournment Saturday night, 12 o'clock.

Mr. Chapman moved that the motion do lie on the table.

Which was agreed to.

The question recurring on the adoption of the concurrent resolution,

Messrs. Slater and Peed demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bearss, Bell, Bunyan, Chapman, Daggy, Davidson, Friedley of Lawrence, Friedley of Scott, Haworth, Johnston of Parke, LaRue, Major, Neff, Peed, Rhodes, Roe and Scott—19.

Those who voted in the negative were,

Messrs. Boone, Bowman, Cardwell, Cree, Culbertson, Dykeman, Givan, Grove, Hackleman, Harney, Henderson, Hendricks, Hough,

Howard, Humphries, Johnson of Floyd, Maxwell, Oliver, Sarnighausen, Skinner, Slater, Sleeth, Smith, Stockslager, Thompson, Tobin, Underwood and Winterbotham—29.

The concurrent resolution was not adopted.

Message from the House by Mr. Holmes, Clerk thereof.

MR. PRESIDENT ;

I am directed by the Speaker of the House to inform the Senate that the Speaker has signed Enrolled Senate Bill No. 16, and the same is herewith transmitted for the signature of the President thereof.

Mr. Rhodes offered the following concurrent resolution :

Resolved by the Senate, the House concurring, That there be allowed to Daniel Macauley one hundred dollars as extra pay for services as Reading Clerk of the Senate, and to Thomas S. Briscoe the sum of fifty dollars as extra pay as Clerk to the Prison Committee for services rendered during the Forty-eighth Regular Session of the General Assembly.

Which was unanimously adopted.

Message from the House by Mr. Holmes, Clerk thereof.

MR. PRESIDENT:

I am directed by the Speaker to inform the Senate that he has signed Enrolled House Bill No. 1, and the same is herewith transmitted to the Senate for the signature of the President thereof.

Report by Mr. Chapman.

MR. PRESIDENT :

Your Committee on Finance, to whom was referred Senate Bill No. 364, of special session, being an act for appropriating money to defray the expenses of the General Assembly, have had the same under consideration, and have instructed me to report the same back and recommend its passage.

Which was concurred in.

Mr. Slater moved to amend by striking out \$25,000 and insert therein \$10,000.

Which was not agreed to.

Mr. Chapman moved to suspend the constitutional rule requiring bills to be read on three several days that Senate Bill No. 364, a bill appropriating \$25,000 for the expenses of this General Assembly, may be read a third time now.

The ayes and noes being taken under the rule,

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bearss, Bell, Boone, Bowman, Bunyan, Cardwell, Chapman, Cree, Culbertson, Daggy, Davidson, Dykeman, Friedley of Lawrence, Friedley of Scott, Grove, Hackleman, Harney, Haworth, Henderson, Hendricks, Hough, Howard, Humphries, Johnson of Floyd, Johnston of Parke, LaRue, Major, Maxwell, Neff, Oliver, Peed, Roe, Sarnighausen, Scott, Skinner, Sleeth, Stockslager, Thompson, Tobin, Underwood and Wilson—43.

Those who voted in the negative were,

Messrs. Givan, Slater and Winterbotham—3.

So the constitutional rule was suspended.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bearss, Bell, Boone, Bowman, Bunyan, Cardwell, Chapman, Cree, Daggy, Davidson, Dykeman, Friedley of Lawrence, Friedley of Scott, Grove, Hackleman, Harney, Haworth, Henderson, Hendricks, Hough, Howard, Humphries, Johnston of Parke, LaRue, Major, Maxwell, Neff, Oliver, Peed, Roe, Sarnighausen, Scott, Skinner, Sleeth, Thompson, Tobin, Underwood and Wilson—41.

Those who voted in the negative were,

Messrs. Givan, Johnson of Floyd, Slater, and Winterbotham—4.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Ordered, that the Secretary inform the House of the passage of the bill.

Mr. Daggy offered the following resolution :

Resolved by the Senate, the House of Representatives concurring herein, That this General Assembly do adjourn sine die on Saturday, March 13, 1875.

Which was adopted.

Message from the House by Mr. Holmes, Clerk, thereof :

MR. PRESIDENT :

I am directed by the Speaker of the House to inform the Senate that the House has concurred in the following concurrent resolution of the Senate :

Resolved by the Senate, the House concurring, That there be allowed to Daniel Macauley one hundred dollars as extra pay for services as Reading Clerk of the Senate, and to Thomas S. Briscoe the sum of fifty dollars as extra pay as Clerk of the Prison Committee for services rendered during the Forty-eighth Regular Session of the General Assembly.

Mr. Sleeth moved that the special order, the consideration of Mr. Sleeth's resolution of censure be postponed until to-morrow morning.

Which was agreed to.

The pending question on taking the noon recess being the question of concurring in the report of the Conference Committee on House Bill No. 496, the specific appropriation bill,

Mr. Hough called for the reading of the part of the bill referred to in the report.

The following sections of the bill were read :

Section 8 was read.

Mr. Hough moved that the Senate do not recede from its amendment to strike out the section.

Messrs. Hough and Haworth demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Boone, Bunyan, Cardwell, Chapman, Cree, Daggy, Davidson, Friedley of Lawrence, Friedley of Scott, Givan, Gooding, Hackleman, Harney, Haworth, Hough, Humphries, Johnson of Floyd, Johnston of Parke, LaRue, Neff, Oliver, Rhodes, Roe, Smith, Stockalager, Thompson, Tobin and Underwood—30.

Those who voted in the negative were,

Messrs. Bell, Bowman, Culbertson, Dykeman, Grove, Henderson, Hendricks, Howard, Major, Maxwell, Peed, Sarnighausen, Scott, Skinner, Slater, and Winterbotham—16.

So the Senate does not recede from its amendments.

Section 13 read and the report of the committee agreed to.

Section 22 read and Mr. Hough moved that the Senate do not recede from its amendment.

Which was agreed to.

Section 28 read and Mr. LaRue moved that the Senate do not recede from its amendment.

Which was agreed to.

Section 31 read and the report of the committee agreed to.

Mr. Chapman moved to reconsider the vote by which the claim to Braden & Burford was allowed, in section 12 of the bill.

Which was agreed to.

Mr. Chapman moved that the claim of Braden & Burford now be rejected.

Messrs. Dykeman and Beardsley demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bearss, Bell, Boone, Bunyan, Cardwell, Chapman, Cree, Culbertson, Daggy, Davidson, Friedley of Scott, Givan, Gooding, Grove, Hackleman, Haworth, Hough, Howard, Humphries, Johnson of Floyd, Johnston of Parke, Major, Neff, Roe, Scott, Slater, Tobin and Underwood—30.

Those who voted in the negative were,

Messrs. Bowman, Dykeman, Friedley of Lawrence, Harney, Oliver, Peed, Sarnighausen, Skinner, Thompson and Winterbotham—10.

So the claim was rejected.

Section 26 was read.

The question being on concurring in the report of the Committee, allowing \$1,000 for the Drummer claim,

Messrs. Gooding and Haworth demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Boone, Chapman, Cree, Culbertson, Daggy, Friedley of Lawrence, Grove, Harney, Hendricks, Hough, Howard, Humphries, Johnson of Floyd, LaRue, Maxwell, Oliver, Roe, Scott, Thompson, Tobin and Winterbotham—21.

Those who voted in the negative were,

Messrs. Baxter, Beardsley, Bell, Bowman, Bunyan, Cardwell,

Davidson, Dykeman, Friedley of Scott, Givan, Gooding, Hackleman, Haworth, Major, Neff, Peed, Sarnighausen, Skinner, Slater Stockslager and Underwood—21.

So the report of the Committee was not concurred in.

Sections 32, 33, 16, 18 and 29, being read, the report of the Committee was concurred in.

Sections 34, 37, 39, 43, 45, 46, 47, 48, 49, 51, 54, 55, 56, 57, 58, 59, 60, 62, 63, 64, 50, 52, 44 and 61—on these sections the report of Committee was concurred in.

Mr. Neff moved to reconsider the vote whereby section 9 was adopted.

Mr. Sarnighausen moved that the motion do lie on the table.

Messrs. Sarnighausen and Hough demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Bearss, Bell, Boone, Bowman, Culbertson, Davidson, Dykeman, Givan, Harney, Henderson, Hendricks, Humphries, Johnson of Floyd, Major, Maxwell, Peed, Sarnighausen, Scott, Skinner, Slater, Smith, Stockslager, Tobin and Winterbotham—25.

Those who voted in the negative were,

Messrs. Baxter, Beardsley, Bunyan, Cardwell, Chapman, Cree, Daggy, Friedley of Scott, Gooding, Grove, Hackleman, Haworth, Hough, Howard, Johnston of Parke, LaRue, Neff, Oliver, Rhodes, Thompson and Underwood—23.

So the motion was agreed [to, and the motion of Mr. Neff, to reconsider, was laid on the table.

Message from the House by Mr. Holmes, Clerk thereof:

MR. PRESIDENT:

I am directed by the Speaker to inform the Senate that the House has passed Engrossed Senate Bill No. 364, appropriating \$25,000

to pay the expenses of the present Special Session of the General Assembly.

And the same is herewith transmitted to the Senate.

Message from the House by Mr. Holmes, Clerk thereof:

MR. PRESIDENT:

I am directed by the Speaker to inform the Senate that he has signed Enrolled House Bill No. 452.

And the same is herewith transmitted to the Senate.

The President announced that he had signed Enrolled House Acts Nos. 16, 1 and 452.

Mr. Stockslager moved to take up House Bill No. 454.

Which was not agreed to.

On motion, by Mr. Daggy, the Senate adjourned until to-morrow morning, 10 o'clock.

LEONIDAS SEXTON,
President of the Senate.

FRIDAY MORNING.

MARCH 12, 1875—10 O'CLOCK.

Senate assembled, President in the chair.

Journal of yesterday read and approved.

Mr. Daggy moved that the special order be postponed until to-morrow, 2 o'clock p. m.

Which was agreed to.

Report by Mr. Dykeman.

MR. PRESIDENT :

The Committee on Swamp Lands, to whom was referred Senate Bill No. 224, entitled "An act to improve the channel of Kankakee river," etc., have had the same under consideration, and report the same back to the Senate without recommendation. The parties interested, and who proposed the bill which they claim has been drafted at a great expense, ask leave to withdraw the same from the files at the close of the session, which the committee recommend may be done.

Which was concurred in.

On motion, by Mr. Humphries, House Bill No. 288, the per diem bill, was taken up.

Mr. Dykeman offered the following resolution :

Resolved, That the Senate concur in the amendment made by the House to the amendment made by the Senate to House Bill No. 288, being an act fixing the per diem of members of the General Assembly and the officers and employes thereof, and that the Senate recede from its amendment to said bill in reference to insurance and the fees of Auditor of State.

Mr. Dykeman moved to make the resolution a special order for 2 o'clock this afternoon.

Mr. LaRue moved to amend the motion by saying the time for the special order shall be when the Auditor of State's bill be found.

Which was agreed to.

The motion as amended was then agreed to.

Report by Mr. Johnston of Parke.

That the Committee on Enrolled Bills have examined Senate Enrolled Acts Nos. 318 and 364, and find the same correctly enrolled.

Mr. Dykeman moved to take up House Joint Resolution No 12,

a joint resolution in relation to the two per cent. claims of Ohio, Indiana and Illinois, etc.

Mr. Smith moved that the motion of Mr. Dykeman do lie on the table.

Mr. Hough moved to amend by indefinitely postponing the further consideration of the joint resolution.

Messrs. Dykeman and Hough demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Boone, Bunyan, Cardwell, Chapman, Culbertson, Davidson, Friedley of Lawrence, Friedley of Scott, Givan, Gooding, Grove, Hackleman, Haworth, Hendricks, Hough, Howard, Johnston of Parke, LaRue, Major, Neff, Oliver, Peed, Rhodes, Roe, Scott, Slater, Sleeth, Smith, Stockslager, Thompson, Tobin, Underwood, Wilson and Winterbotham—36.

Those who voted in the negative were,

Messrs. Bell, Bowman, Dykeman, Harney, Johnson of Floyd, Sarnighausen and Skinner—7.

So the joint resolution was indefinitely postponed.

Message from the House, by Mr. Holmes, Clerk thereof.

MR. PRESIDENT:

I am directed by the Speaker to inform the Senate that the House has concurred in the report of the Committee of Conference between the two Houses upon House Bill No. 496, being the specific appropriation bill with the following amendments, which was unanimously adopted.

Add to section 61, C. E. Crane, \$34.50, and the bill and report of the Conference Committee is herewith returned to the Senate.

Also, I am directed by the Speaker of the House to inform the Senate that the Speaker has signed Enrolled Senate Bills Nos. 318 and 364.

And the same is herewith transmitted to the Senate for the signature of the President thereof.

Leave of absence was granted Mr. Cree until Monday next, on account of sickness.

Mr. Thompson asked permission to introduce a bill.

Objections being made,

The ayes and noes were demanded by Messrs. Dykeman and Peed.

Those who voted in the affirmative were,

Messrs. Baxter, Bell, Bunyan, Cardwell, Chapman, Daggy, Friedley of Scott, Gooding, Hackleman, Harney, Haworth, Hough, Howard, Humphries, Johnson of Floyd, Maxwell, Oliver, Scott, Skinner, Thompson, Tobin, Underwood and Mr. President—23.

Those who voted in the negative were,

Messrs. Beardsley, Boone, Bowman, Culbertson, Davidson, Dykeman, Friedley of Lawrence, Givan, Grove, Henderson, Hendricks, LaRue, Major, Neff, Peed, Roe, Sarnighausen, Slater, Smith, Stockslager, Underwood and Winterbotham—22.

So the permission was granted.

Mr. Thompson introduced Senate Bill No. 365, empowering county commissioners to grant the right of way along county roads to railroad companies in certain cases, when such right of way is granted along roads connecting suburban towns with cities of more than forty thousand inhabitants.

Was read a first time.

Mr. Thompson moved that the constitutional rule requiring bills to be read on three several days be suspended, and that the bill be read a second time by title, considered engrossed, and read a third time by sections now.

The ayes and noes being taken under the rule,

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bearss, Bell, Bowman, Bunyan, Cardwell, Chapman, Daggy, Friedley of Scott, Givan, Gooding, Hackleman, Harney, Haworth, Hendricks, Hough, Howard, Humphries, Johnson of Floyd, LaRue, Major, Maxwell, Neff, Oliver, Roe, Sarnighausen, Scott, Skinner, Sleeth, Thompson, Tobin, Underwood and Wilson—34.

Those who voted in the negative were,

Messrs. Boone, Culbertson, Davidson, Dykeman, Friedley of Lawrence, Grove, Slater, Smith, Stockslager and Winterbotham—10.

So the constitutional rule was suspended, and the bill read a second time, considered engrossed, and read a third time by sections.

By consent, Mr. Bell offered the following amendment:

Amend by inserting the words "forty thousand," when they occur, in lieu of the words "twenty thousand."

Which was agreed to.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bearss, Bell, Boone, Bowman, Bunyan, Cardwell, Chapman, Daggy, Davidson, Friedley of Lawrence, Friedley of Scott, Givan, Gooding, Hackleman, Harney, Haworth, Henderson, Hendricks, Hough, Howard, Humphries, Johnson of Floyd, Johnston of Parke, LaRue, Major, Maxwell, Neff, Oliver, Rhodes, Roe, Sarnighausen, Scott, Skinner, Sleeth, Stockslager, Thompson, Tobin and Underwood—40.

Those who voted in the negative were,

Messrs. Culbertson, Dykeman, Smith and Winterbotham—4.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Ordered, that the Secretary inform the House of the passage of the bill.

On motion by Mr. Humphries, the resolution offered by Mr. Dykeman that the Senate do recede from its amendment to House Bill No. 288, the per diem bill of members of the General Assembly, etc., was taken up.

The question being on the adoption of the resolution,

Mr. LaRue made the point of order that amendments to a bill could not be adopted by a resolution.

The President announced the point of order well taken.

House Bill Nos. 88 was taken up and acted on as follows:

A bill having passed this General Assembly fixing the salary and fees of the Auditor of State, etc., the Senate receded from its amendment to the bill in relation to the salary and fees of the Auditor of State.

On motion by Mr. LaRue, the House concurrent resolution to adjourn *sine die* Tuesday next, was taken up.

Mr. LaRue moved to amend the concurrent resolution by making the time 5 o'clock p. m. Monday.

Which was agreed to.

The resolution as amended was then adopted.

Mr. LaRue moved to reconsider the vote whereby the concurrent resolution was adopted.

Mr. Bell moved that the motion do lie on the table.

Messrs. Slater and Peed demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bearss, Bell, Boone, Bowman, Bunnan, Cardwell, Chapman, Daggy, Dykeman, Friedley of Lawrence, Friedley of Scott, Givan, Gooding, Hackleman, Haworth, Henderson, Hough, Howard, Humphries, Johnson of Floyd, Johnston of Parke, LaRue, Major, Maxwell, Neff, Oliver, Rhodes, Roe, Sarnighausen, Scott, Skinner, Sleeth, Stockslager, Thompson, Tobin, Underwood and Wilson—39.

Those who voted in the negative were,

Messrs. Culbertson, Grove, Harney, Hendricks, Peed, Slater, Smith and Winterbotham—8.

So the motion to reconsider was laid on the table.

Mr. Johnston of Parke, moved to take up Engrossed House Bill No. 454, a bill regulating the salary of the Attorney General.

Mr. LaRue moved to amend by taking up the specific appropriation bill, (House Bill No. 496.)

Which was agreed to.

The motion as amended was then agreed to and the bill taken up, and the message from the House with House amendments was read.

Mr. Dykeman moved to strike out section 1 of the bill.

Which was agreed to.

To strike out section fifty-six of the bill.

Which was agreed to.

Mr. LaRue moved that the Senate do adhere to its action of yesterday on the bill, and that there be appointed a second Committee of Free Conference on said bill.

Mr. Scott moved to amend the bill by adding the following to section 56:

To pay the expenses of collecting, forwarding, arranging and securing specimens of the manufacturing, chemical industries of this State as that of coals, ores, clay, wood, stone, agricultural, horticultural, floral and other products of this State to the Centennial Exhibition at Philadelphia in the year 1876, the sum of five thousand dollars, the same to be expended under the Governor, and with the assistance of State Geologist.

On this Messrs. Dykeman and Slater demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Baxter, Bell, Boone, Bowman, Cardwell, Chapman, Culbertson, Daggy, Davidson, Friedley of Lawrence, Friedley of Scott, Givan, Gooding, Hackleman, Harney, Haworth, Henderson, Hendricks, Hough, Howard, Humphries, Johnson of Floyd, Johnston of Parke, LaRue, Major, Maxwell, Neff, Oliver, Peed, Roe, Sarnighausen, Scott, Sleeth, Stockslager, Thompson, Tobin, Underwood and Wilson—38.

Those who voted in the negative were,

Messrs. Bearss, Dykeman, Grove, Skinner, Slater, Smith and Winterbotham—7.

So the amendment was agreed to.

Mr. Slater moved that the Senate concur in the House amendment to the bill in allowing to Crane \$34.50.

Which was agreed to.

The question recurring on the motion of Mr. LaRue.

It was agreed to.

The President appointed as the Committee on Free Conference on House Bill No. 496, Messrs. Scott and Boone.

Mr. Sleeth asked to be excused from further service on the Committee of Free Conference on Senate Bill No. 15, and on House Bill No. 124.

THE TEMPERANCE BILLS.

Pending action on this question, Mr. Scott moved that the Senate take a recess until 2 o'clock P. M.

Which was agreed to.

AFTERNOON SESSION.

Senate re-assembled, President in the chair.

Mr. Friedley of Scott moved to take up Engrossed House Bill No. 491, a bill to legalize the official acts of the several Boards of Trustees of the town of North Vernon.

Which was agreed to.

Mr. Slater demanded a call of the Senate.

Those who answered to their names were,

Messrs. Baxter, Beardsley, Bearss, Bell, Boone, Bowman, Bunyan, Cardwell, Chapman, Daggy, Davidson, Friedley of Lawrence, Friedley of Scott, Givan, Gooding, Hackleman, Harney, Haworth, Henderson, Hough, Howard, Humphries, Johnson of Floyd, Johnston of Parke, LaRue, Maxwell, Neff, Rhodes, Roe, Sarnighausen, Scott, Skinner, Slater, Sleeth, Stockslager, Thompson, Tobin, Underwood and Wilson—39.

On motion by Mr. Scott the further call was dispensed with, and the bill was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bearss, Bowman, Bunyan, Cardwell, Chapman, Daggy, Friedley of Lawrence, Friedley of Scott, Givan, Gooding, Hackleman, Harney, Haworth, Hough, Howard, Johnson

of Floyd, LaRue, Major, Maxwell, Neff, Rhodes, Roe, Scott, Skinner, Sleeth, Thompson, Tobin, Underwood and Wilson—31.

Those who voted in the negative were,

Messrs. Bell, Boone, Culbertson, Davidson, Slater and Stockslager—6.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Ordered, that the Secretary inform the House of the passage of the bill.

Message from the House by Mr. Holmes, Clerk thereof:

MR. PRESIDENT:

I am directed by the Speaker to inform the Senate that the House has concurred in the amendments of the Senate to the resolution of House for adjournment *sine die* on Monday, the 15th inst., at 5 o'clock P. M.

Mr. LaRue moved that House Bills on third reading be taken up in the order as left on last Saturday, the 6th inst.

Mr. Bell moved that the motion do lie on the table.

Messrs. Bell and Slater demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Bearss, Bell, Bowman, Cardwell, Culbertson, Daggy, Davidson, Dykeman, Givan, Grove, Harney, Henderson, Hendricks, Humphries, Johnson of Floyd, Maxwell, Peed, Sarnighausen, Skinner, Slater, Smith, Stockslager, Thompson, Wilson and Winterbotham—25.

Those who voted in the negative were,

Messrs. Baxter, Beardsley, Bunyan, Chapman, Friedley of Lawrence, Friedley of Scott, Gooding, Hackleman, Haworth, Hough, Howard, Johnston of Parke, LaRue, Major, Neff, Roe, Scott, Sleeth, Tobin and Underwood—21.

So the motion was agreed to.

Mr. Smith moved that the Senate do adjourn until 3 o'clock this afternoon.

Which was not agreed to.

The pending question on taking the noon recess being, will the Senate excuse Mr. Sleeth from further serving on the Committee on Free Conference on the temperance bills?

Messrs. Bell and Slater demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bearss, Boone, Bunyan, Cardwell, Chapman, Daggy, Davidson, Friedley of Lawrence, Friedley of Scott, Givan, Gooding, Grove, Hackleman, Harney, Haworth, Hendricks, Hough, Humphries, Johnson of Floyd, Johnston of Parke, LaRue, Major, Maxwell, Neff, Oliver, Rhodes, Roe, Scott, Sleeth, Stockslager, Thompson, Tobin, Underwood and Wilson—36.

Those who voted in the negative were,

Messrs. Bell, Bowman, Culbertson, Dykeman, Henderson, Howard, Sarnighausen, Skinner, Slater, Smith and Winterbotham—11.

So Mr. Sleeth was excused from further serving on the committee.

The President appointed, in lieu of Mr. Sleeth on said Committee of Free Conference, Mr. Johnston of Parke.

Mr. Johnson of Floyd moved to take up House Bill No. 86, the Criminal Court Bill relating to the counties of Clarke and Floyd.

Mr. Bell moved that the motion do lie on the table.

Messrs. Johnson of Floyd and Stockslager demended the ayes and noes.

Those who voted in the affirmative were,

Messrs. Beardsley, Bearss, Bell, Bowman, Bunyan, Culbertson, Davidson, Dykeman, Givan, Grove, Hackleman, Harney, Haworth, Hendricks, Hough, Humphries, LaRue, Major, Maxwell, Peed, Rhodes, Sarnighausen, Scott, Skinner, Slater, Smith, Stockslager, Tobin, Underwood and Winterbotham—30.

Those who voted in the negative were,

Messrs. Baxter, Bunyan, Chapman, Daggy, Friedley of Scott, Gooding, Howard, Johnson of Floyd, Neff, Oliver, Roe and Wilson—12.

So the motion was agreed to.

Mr. Haworth moved to reconsider the vote whereby the motion of Mr. Johnson of Floyd was laid on the table, and to lay that motion on the table.

Which was agreed to.

Message from the House by Mr. Holmes, Clerk thereof.

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has agreed to the request of the Senate for a new conference committee on House Bill No. 496 upon the subject of specific appropriations, and that the Speaker has appointed Messrs. Pfafflin and Davis as such committee upon the part of the House.

Mr. Cardwell moved to take up Engrossed House Bill No. 484, a bill regulating the salary of the Attorney General, etc.

Which was not agreed to.

S. J.—86

Mr. Givan moved that the Senate do now take up House Bills on third reading.

Mr. Bell moved that the motion do lie on the table.

Messrs. Gooding and LaRue demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Bearss, Bell, Bowman, Culbertson, Davidson, Dykeman, Grove, Harney, Henderson, Hendricks, Humphries, Johnson of Floyd, Major, Maxwell, Peed, Sarnighausen, Skinner, Slater, Smith, Stockslager, Wilson and Winterbotham—22.

Those who voted in the negative were,

Messrs. Baxter, Beardsley, Bunyan, Cardwell, Chapman, Daggy, Friedley of Lawrence, Friedley of Scott, Givan, Gooding, Hackleman, Haworth, Hough, Howard, LaRue, Neff, Oliver, Rhodes, Roe, Scott, Sleeth, Tobin and Underwood—23.

So the motion was not agreed to.

The question recurring on the motion of Mr. Givan to take up bills on third reading.

Messrs. Bell and Slater demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bunyan, Cardwell, Chapman, Daggy, Friedley of Lawrence, Friedley of Scott, Gooding, Hackleman, Haworth, Hough, Howard, Johnston of Parke, LaRue, Major, Neff, Oliver, Rhodes, Roe, Scott, Sleeth, Tobin and Underwood—24.

Those who voted in the negative were,

Messrs. Bell, Boone, Bowman, Culbertson, Davidson, Dykeman, Grove, Harney, Henderson, Hendricks, Humphries, Johnson of Floyd, Maxwell, Peed, Sarnighausen, Skinner, Slater, Smith, Stockslager, and Winterbotham—20.

So the motion was agreed to and House Bills on third reading were taken up and Engrossed House Bill No. 299, an act regulating the working of coal mines and providing penalties for the violation thereof, etc.,

Was read a third time.

Mr. Humphries presented a remonstrance from citizens of Washington, Daviess county, against the passage of the above bill.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Beardsley, Bunyan, LaRue, Scott and Sleeth—5.

Those who voted in the negative were,

Messrs. Bearss, Bell, Boone, Bowman, Cardwell, Culbertson, Daggy, Davidson, Dykeman, Friedley of Scott, Givan, Grove, Hackleman, Harney, Haworth, Henderson, Hendricks, Hough, Howard, Humphries, Johnson of Floyd, Maxwell, Neff, Oliver, Peed, Roe, Sarnighausen, Skinner, Slater, Smith, Stockslager, Thompson, Tobin, Underwood and Winterbotham—35.

So the bill failed to pass.

Message from the House by Mr. Holmes, Clerk thereof:

MR. PRESIDENT:

I am directed by the Speaker of the House to inform the Senate that the House has passed the following Engrossed Senate Bill, to-wit:

Senate Bill No. 310, entitled "An act providing for serving processes upon officers, directors, attorneys or agents of any steam-boat company."

Also, Senate Bill No. 35, entitled "An act relating to the laying out, opening, widening, altering and vacating streets, alleys and highways, and for straightening or altering of water courses by the

cities of this State, and providing for their duties and the method of procedure and the collection of benefits," etc.

And the same are herewith transmitted to the Senate.

Also, I am directed by the Speaker of the House to inform the Senate that the House has passed Engrossed Senate Bill No. 274, entitled "An act to amend section 2 of an act entitled 'an act to extend their immunities to all citizens who may organize on the same terms,' " approved February 25, 1859.

And the same is herewith transmitted to the Senate.

Report by Mr. Sleeth:

MR. PRESIDENT:

The Committee on Judiciary, to whom was referred the message of the Governor nominating John P. Early, of Laporte county, as a Commissioner of the House of Refuge for Juvenile Offenders, to succeed Amos S. Evans, have had the same under consideration, and have instructed me to report the following as to when there will be a vacancy in said office, viz.:

The said Amos S. Evans was appointed to said office on the 24th day of June, 1871, to serve until March 1st, 1877, which appointment was confirmed by the Senate on the 18th day of December, 1872. The law creating said office attempts to fix the duration of the official term at six years, but this is in direct conflict with section — of article — of the Constitution, which provides that the General Assembly shall not create any office, the term of which shall be longer than four years. We are, therefore, of the opinion that the official term of the present incumbent of the office referred to, will expire on the 24th day of June next, after which time there will be a vacancy.

Which was concurred in, and the appointment of John P. Early was confirmed by the Senate.

Engrossed House Bill No. 479. A bill to legalize the acts of boards of trustees and other officers of incorporated towns, etc.

Was read a third time.

By consent, Mr. Howard offered the following amendment:

Strike out preamble.

Also, amend by inserting at the end of section 1 the following: "And any and all taxes heretofore assessed by such boards of trustees, after the time specified in section 30 of an act entitled 'an act for the incorporation of towns, defining their powers, providing for the election of the officers thereof, and declaring their duties,' approved June 11, 1852, be and the same are hereby legalized, and declared collectable as if levied according to the provisions of said act."

Which was agreed to.

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bearss, Boone, Bowman, Bunyan, Cardwell, Chapman, Daggy, Davidson, Friedley of Lawrence, Friedley of Scott, Givan, Grove, Hackleman, Harney, Haworth, Hendricks, Hough, Howard, Johnson of Floyd, Major, Maxwell, Neff, Oliver, Peed, Roe, Scott, Sleeth, Thompson, Tobin and Underwood—32.

Those who voted in the negative were,

Messrs. Culbertson, LaRue, Slater, Smith, Stockslager and Wilson—6.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

Mr. Howard offered the following:

Amend title as follows: An act to legalize the acts of the trustees of incorporated towns in cases where the inspectors of the election at which said trustees were chosen have failed to file in the office of the Clerk of the Circuit Court a certified statement over their own signature of the person elected to said office legalizing

assessments of taxes made by such trustees after the third Tuesday in May.

It was agreed to.

The title as amended was then agreed to.

Ordered, that the Secretary inform the House of the passage of the bill.

Message from the House by Mr. Holmes, the Clerk thereof.

MR. PRESIDENT :

I am directed by the Speaker of the House to inform the Senate that the House has passed Engrossed Senate Bill No. 127, entitled "An act to amend an act to revise, simplify and abridge the rules, and practice in this State to abolish distinct form of action at law, and provide for the administration of justice in the uniform mode of pleading and practice without distinction between law and equity," approved June 18, 1858.

Also, Senate Bill No. 353, entitled "An act defining certain felonies, and prescribing penalties therefor.

Engrossed House Bill No. 266. An act to protect the manufacturers and bottlers of mineral water, cider, ale, beer and ginger pop.

Was read a second time.

Mr. Bunyan moved that the bill do lie upon the table.

Which was not agreed to.

The bill was placed upon the calendar.

Engrossed House Bill No. 111. A bill defining grave robbing and prescribing punishment therefor, and declaring an emergency.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Beardsley, Bearss, Boone, Bowman, Bunyan, Cardwell, Chapman, Daggy, Friedley of Lawrence, Friedley of Scott, Givan, Hackleman, Harney, Haworth, Hendricks, Hough, Howard, LaRue, Major, Maxwell, Neff, Oliver, Rhodes, Roe, Scott, Smith, Thompson and Underwood—28.

Those who voted in the negative were,

Messrs. Davidson, Grove, Peed, Skinner, Stockslager and Thompson—6.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Ordered, that the Secretary inform the House of the passage of the bill.

Engrossed House Bill No. 176. An act to provide that owners of dogs killed or maimed shall not obtain judgment for such killing or maiming unless such dogs are listed for taxation, with a proviso.

Was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Bunyan, Culbertson, Daggy, Hough, LaRue, Oliver, Ringo and Sleeth—8.

Those who voted in the negative were

Messrs. Beardsley, Bearss, Boone, Cardwell, Chapman, Davidson, Givan, Grove, Hackleman, Harney, Haworth, Henderson, Howard,

Humphries, Major, Maxwell, Neff, Peed, Rhodes, Slater, Smith, Stockslager, Thompson, Tobin, Underwood and Winterbotham—26.

So the bill failed to pass.

Message from the House by Mr. Holmes, Clerk thereof:

MR. PRESIDENT:

I am directed by the Speaker of the House of Representatives to inform the Senate that the House has passed Engrossed Senate Bill No. 287, entitled "An act to amend sections 1 and 4 of an act entitled 'an act supplementary and amendatory of an act to provide for a uniform assessment of property, and for the collection and return of taxes thereon,' " approved March 8, 1873.

Also, Senate Bill No. 42, entitled "An act to provide for the redemption of personal property sold for taxes."

And the same are herewith transmitted to the Senate.

Also, I am directed by the House to inform the Senate that the House has passed Engrossed Senate Bill No. 145, entitled "An act to enable and empower executors and administrators of the estates of deceased persons to enforce partition in certain cases, and declaring an emergency."

Also, Senate Bill No. 268, entitled "An act to provide for public printing and binding."

And the same are herewith transmitted to the Senate.

Mr. Hough moved to take up Engrossed House Bill No. 172, to legalize the dissection of human bodies, which failed to pass for want of a constitutional majority at the last regular session.

The question being, shall the pass?

Those who voted in the affirmative were,

Messrs. Baxter, Culbertson, Dykeman, Friedley of Scott, Grove, Hackleman, Harney, Henderson, Hendricks, Howard, Hough,

Johnson of Floyd, Neff, Oliver, Roe, Sarnighausen, Scott, Sleeth, Thompson, Tobin and Winterbotham—21.

Those who voted in the negative were,

Messrs. Beardsley, Bell, Boone, Bowman, Bunyan, Cardwell, Chapman, Davidson, Friedley of Lawrence, Givan, Gooding, Haworth, Humphries, Johnston of Parke, LaRue, Major, Maxwell, Peed, Skinner, Smith, Stockslager, Underwood and Wilson—23.

So the bill failed to pass.

Mr. Johnston of Parke, moved that the Senate do now adjourn.

Messrs. Bell and Slater demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bearss, Bunyan, Chapman, Daggy, Friedley of Lawrence, Friedley of Scott, Hackleman, Haworth, Howard, Johnston of Parke, LaRue, Neff, Scott and Underwood—16.

Those who voted in the negative were,

Messrs. Bell, Boone, Bowman, Cardwell, Culbertson, Davidson, Dykeman, Givan, Gooding, Grove, Harney, Henderson, Hendricks, Hough, Humphries, Johnson of Floyd, Major, Maxwell, Oliver, Peed, Roe, Sarnighausen, Skinner, Slater, Sleeth, Smith, Stockslager, Thompson, Tobin, Wilson and Winterbotham—31.

So the Senate refused to adjourn.

Message from the House by Mr. Holmes, Clerk thereof.

MR. PRESIDENT:

I am directed by the Speaker to inform the Senate that the House has passed the following resolution :

Resolved by the House of Representatives, That the Senate be and is hereby requested to return to the House Senate Bill No. 15 with

the House amendments thereto for the action of the House, and the same is herewith transmitted to the Senate.

I am directed by the Speaker to inform the Senate that he has signed Enrolled House Bills Nos. 491 and 288, and the same is herewith transmitted to the Senate for the signature of the President thereof.

Mr. Bell moved that the Committee of Conference on the Temperance Bills be discharged:

Mr. Dykeman offered the following resolution:

Resolved, That the committee return the bill and amendments to the Senate and that they be discharged.

Mr. Hough moved that the Senate do now adjourn.

The ayes and noes were demanded by five Senators.

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bearss, Bunyan, Chapman, Daggy, Friedley of Lawrence, Friedley of Scott, Hackleman, Haworth, Hough, Howard, Johnston of Parke, LaRue, Neff, Rhodes, Roe, Scott and Underwood—19.

Those who voted in the negative were,

Messrs. Bell, Boone, Bowman, Culbertson, Davidson, Dykeman, Givan, Gooding, Grove, Harney, Henderson, Hendricks, Humphries, Johnson of Floyd, Major, Maxwell, Oliver, Peed, Sarnighausen, Skinner, Slater, Sleeth, Smith, Stockslager, Thompson, Tobin, Wilson and Winterbotham—28.

So the motion was not agreed to.

The question being on Mr. Dykeman's resolution,

Mr. Hough moved that the resolution do lie on the table.

Messrs. Dykeman and Bell demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bunyan, Cardwell, Chapman, Daggy, Friedley of Lawrence, Friedley of Scott, Hackleman, Haworth, Hough, Howard, Johnston of Parke, LaRue, Neff, Oliver, Rhodes, Roe, Scott, Tobin and Underwood—21.

Those who voted in the negative were,

Messrs. Bearss, Bell, Boone, Bowman, Culbertson, Davidson, Dykeman, Givan, Gooding, Grove, Harney, Henderson, Hendricks, Humphries, Johnson of Floyd, Major, Maxwell, Peed, Sarnighausen, Skinner, Slater, Sleeth, Smith, Stockslager, Thompson, Wilson and Winterbotham—27.

So the motion to lie on the table was not agreed to.

Mr. Bell moved the previous question.

Which was seconded by the Senate.

The question being, shall the main question be now put.

It was so ordered.

The question being on the adoption of the resolution offered by Mr. Dykeman,

The ayes and noes were demanded by Messrs. Dykeman and Bell.

Those who voted in the affirmative were,

Messrs. Bearss, Bell, Boone, Bowman, Culbertson, Davidson, Dykeman, Givan, Gooding Grove, Harney, Henderson, Hendricks, Johnson of Floyd, Major, Maxwell, Peed, Sarnighausen, Skinner, Slater, Sleeth, Smith, Stockslager, Thompson, Tobin, Wilson and Winterbotham—27.

Those who voted in the negative were,

Messrs. Baxter, Beardsley, Bunyan, Cardwell, Chapman, Daggy, Friedley of Lawrence, Friedley of Scott, Hackleman, Haworth, Hough, Howard, Johnston of Parke, LaRue, Neff, Oliver, Rhodes, Roe, Scott and Underwood—20.

So the resolution was adopted, and the committee discharged.

Mr. Bell moved that, in compliance with the request of the House, the Secretary be and he is directed to transmit to the House Senate Bill No. 15, with amendments.

Mr. Daggy moved that the motion do lie on the table.

Messrs. Bell and Dykeman demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Baxter, Bearss, Bunyan, Cardwell, Chapman, Daggy, Friedley of Scott, Hackleman, Haworth, Hough, Howard, Johnston of Parke, LaRue, Neff, Oliver, Rhodes, Roe, Scott and Underwood—19.

Those who voted in the negative were,

Messrs. Beardsley, Bell, Boone, Bowman, Culbertson, Davidson, Dykeman, Givan, Gooding, Grove, Harney, Hendricks, Humphries, Johnson of Floyd, Major, Maxwell, Peed, Sarnighausen, Skinner, Slater, Sleeth, Smith, Stockslager, Thompson, Tobin, Wilson and Winterbotham—27.

So the motion was not agreed to.

Mr. Haworth moved to indefinitely postpone the resolution.

Mr. Bell moved that the motion do lie on the table.

Messrs. Haworth and Hough demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Bell, Boone, Bowman, Culbertson, Davidson, Dykeman,

Givan, Gooding, Grove, Harney, Henderson, Hendricks, Humphries, Johnson of Floyd, Major, Maxwell, Peed, Sarnighausen, Skinner, Slater, Sleeth, Smith, Stockslager, Thompson, Tobin, Wilson and Winterbotham—27.

Those who voted in the negative were,

Messrs. Baxter, Beardsley, Bearss, Bunyan, Cardwell, Chapman, Daggy, Friedley of Lawrence, Hackleman, Haworth, Hough, Howard, Johnston of Parke, LaRue, Scott and Underwood—20.

So the motion was agreed to.

Mr. Chapman moved that the Senate do now adjourn.

The ayes and noes were demanded by five Senators.

Those who voted the affirmative were,

Messrs. Baxter, Bunyan, Chapman, Daggy, Friedley of Lawrence, Friedley of Scott, Hackleman, Haworth, Hough, Howard, Johnston of Parke, LaRue, Neff, Rhodes, Roe, Scott and Underwood—17.

Those who voted in the negative were,

Messrs. Beardsley, Bearss, Bell, Boone, Bowman, Cardwell, Culbertson, Davidson, Dykeman, Givan, Gooding, Grove, Harney, Henderson, Hendricks, Humphries, Johnson of Floyd, Major, Maxwell, Peed, Sarnighausen, Skinner, Slater, Sleeth, Smith, Stockslager, Thompson, Tobin, Wilson and Winterbotham—30.

So the motion was not agreed to.

Mr. Humphries moved the previous question.

Which was seconded by the Senate.

The question being, shall the main question be now put?

It was so ordered.

The question being on the resolution offered by Mr. Bell,

The ayes and noes being taken,

Those who voted in the affirmative were,

Messrs. Bell, Boone, Bowman, Culbertson, Daggy, Davidson, Dykeman, Givan, Gooding, Grove, Hackleman, Harney, Henderson, Hendricks, Humphries, Johnson of Floyd, Major, Maxwell, Peed, Sarnighausen, Skinner, Slater, Sleeth, Smith, Stockslager, Thompson, Tobin, Wilson and Winterbotham—29.

Those who voted in the negative were,

Messrs. Baxter, Beardsley, Bearss, Bunyan, Cardwell, Chapman, Friedley of Lawrence, Friedley of Scott, Haworth, Hough, Howard, Johnston of Parke, LaRue, Neff, Rhodes, Roe, Scott and Underwood—18.

So the resolution was adopted.

Message from the House by Mr. Holmes, Clerk thereof:

MR. PRESIDENT :

I am directed by the Speaker of the House to inform the Senate that the House has passed the following engrossed Senate Bill No. 234, entitled "An act to amend the 575th section of the act entitled 'an act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in this State, etc.'" approved June 18, 1852.

Also, Senate Bill No. 365, entitled 'An act empowering boards of county commissioners to grant rights of way to railroad companies along county roads connecting a city of more than \$40,000 inhabitants with suburban towns in the same county, when the owners of three-fourths of the real estate bordering on the land of such road have petitioned, or shall petition for such road for such purpose.

Also, Senate Bill No. 182, entitled "An act to amend section 17 of an act entitled 'an act regulating prosecutions in cases of bastardy and providing support of illegitimate children,'" approved May 6, 1862.

And the same are herewith submitted to the Senate.

Also, I am directed by the Speaker to inform the Senate that the Speaker has signed House Bills No. 111 and 479.

And the same are herewith transmitted to the Senate for the signature of the President thereof.

Mr. Sleeth moved that the constitutional rule requiring bills to be read on three several days be suspended, and that House Bill No. 266 be read a third time now.

Mr. Daggy moved that the Senate do now adjourn.

The ayes and noes were demanded by five Senators.

Those who voted in the affirmative were,

Messrs. Beardsley, Bearss, Bunyan, Cardwell, Chapman, Daggy, Friedley of Lawrence, Friedley of Scott, Gooding, Hackleman, Haworth, Henderson, Hough, Howard, Johnston of Parke, LaRue, Neff, Roe, Scott and Underwood—20.

Those who voted in the negative were,

Messrs. Bell, Boone, Bowman, Culbertson, Davidson, Dykeman, Givan, Grove, Harney, Hendricks, Humphries, Johnson of Floyd, Major, Maxwell, Oliver, Peed, Rhodes, Sarnighausen, Skinner, Slater, Sleeth, Smith, Stockslager, Thompson, Tobin, Wilson and Winterbotham—27.

So the motion to adjourn was not agreed to.

The question recurring on the motion to suspend the constitutional rule, the ayes and noes being taken under the rule,

Those who voted in the affirmative were,

Messrs. Baxter, Bearss, Bell, Boone, Bowman, Culbertson, Davidson, Dykeman, Friedley of Lawrence, Givan, Grove, Hackleman, Harney, Henderson, Hendricks, Humphries, Johnson of Floyd, Major, Maxwell, Oliver, Peed, Rhodes, Sarnighausen, Skinner, Slater, Sleeth, Smith, Stockslager, Thompson, Tobin, Wilson and Winterbotham—34.

Those who voted in the negative were,

Messrs. Beardsley, Bunyan, Cardwell, Chapman, Daggy, Howard, Hough, LaRue, Neff, Roe, Scott and Underwood—14.

So the constitutional rule was suspended and Engrossed House Bill No. 266, a bill to protect the manufacturers of bottled mineral water, cider, etc., was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bearss, Cardwell, Chapman, Culbertson, Davidson, Dykeman, Friedley of Lawrence, Givan, Gooding, Grove, Hackleman, Harney, Haworth, Henderson, Hendricks, Hough, Howard, LaRue, Major, Maxwell, Neff, Oliver, Peed, Rhodes, Roe, Sarnighausen, Scott, Skinner, Sleeth, Stockslager, Thompson, Tobin, Underwood, Wilson and Winterbotham—41.

Senators Daggy and Smith voting in the negative.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Ordered, that the Secretary inform the House of the passage of the bill.

Message from the House by Mr. Holmes, Clerk thereof:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed Engrossed Senate Bill No. 217, entitled "An act defining certain misdemeanors and prescribing penalties therefor."

Also, Engrossed Senate Bill No. 179, entitled "An act regulating the number of grand jurors and manner of their selection."

And the same is herewith transmitted to the Senate.

The President announced that he had signed Enrolled House Acts Nos. 489, 491, 288, 111 and 479.

Also, Enrolled Senate Acts Nos. 364, 318 and 365.

Message from the House by Mr. Holmes, Clerk thereof:

MR. PRESIDENT:

I am directed by the Speaker of the House to inform the Senate that he has signed Enrolled Senate Bills Nos. 310, 365, 234, 274, 353, 127 and 42.

And the same are herewith returned to the Senate.

Mr. Johnston of Parke, from the Committee on Enrolled Bills, reported that he had examined Enrolled Senate Acts Nos. 127, 353, 274, 310 and 42 and found them correctly enrolled.

On motion, by Mr. Neff, the Senate adjourned until 10 o'clock to-morrow morning.

LEONIDAS SEXTON,

President of the Senate.

SATURDAY MORNING.

MARCH 13, 1875—10 O'CLOCK.

Senate assembled, President in the chair.

Journal of yesterday read and approved.

S. J.—87

Message from the House by Mr. Holmes, Clerk thereof:

MR. PRESIDENT :

I am directed by the Speaker to inform the Senate that he has signed Engrossed Senate Bills Nos. 179 and 217, and the same are herewith returned to the Senate.

Message from the Governor :

EXECUTIVE DEPARTMENT,

INDIANAPOLIS, March 13, 1875.

Hon. Leonidas Sexton, President of the Senate :

SIR—Samuel R. Downey, my Private Secretary, is authorized to make executive communications to the Senate at the present session.

THOMAS A. HENDRICKS,

Governor of Indiana.

Mr. Haworth asked leave to introduce a bill in the interest of the agriculturists of the State.

Objections being made, Messrs. Dykeman and Bell demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Baxter, Bunyan, Chapman, Friedley of Scott, Haworth, Howard, Johnson of Floyd, LaRue, Neff, Rhodes, Scott and Underwood—12.

Those who voted in the negative were,

Messrs. Bearss, Bell, Boone, Bowman, Cardwell, Culbertson, Davidson, Dykeman, Friedley of Lawrence, Givan, Grove, Hackleman, Harney, Henderson, Hendricks, Hough, Humphries, Peed, Roe, Sarnighausen, Skinner, Slater, Sleeth, Smith, Stockslager, Thompson, Tobin, Wilson and Winterbotham—29.

So the permission was not granted.

Message from the House by Mr. Holmes, Clerk thereof:

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has had the following action upon Senate Bill No. 15, as amended by the House, afterward amended by the Senate :

The House having on yesterday, by unanimous consent, reconsidered the vote by which the amendment of the Senate to the amendments of the House to Senate Bill No. 15 making public drunkenness punishable by fine, was concurred in, said amendment was not concurred in, and the House having by unanimous consent reconsidered the vote by which said Senate Bill No. 15 was originally amended by the House, the following amendments to said House amendments to said bill were unanimously adopted, to-wit:

Amend the title as follows, and after the word "town" the following: "prescribing penalties for intoxication and providing for the recovery of damages for injuries growing out of unlawful sales of intoxicating liquors."

Amend Section 2 by striking out of lines "four" and five as used in this act.

Amend Section 4 by inserting after the word "act," in line 15 of said section the following words: "And for the payment of all judgments for civil damages growing out of all unlawful sales as provided for in this act;" and further amend said section 4 by striking out all after the word "until," in line 31, to and including the word "court," in line 34 of said section, and in lieu thereof insert the following: "The close of the next term of the court in which such appeal is pending at which such cases might be lawfully tried;" and to further amend said section 4 by adding the following words thereto: "But he shall be liable for the violation of any of the provisions of this act during such time, the same as if regularly licensed."

Amend section 5 by striking out of lines 4 and 5 the words "to be drank on the premises where sold," and by striking out the same words referred to in lines four and five of

said section five out of lines twelve and thirteen of said section five, and to further amend said section five by striking out all after the words "to be," in line seventeen, of said section, and insert in lieu thereof the following, "paid into the school fund of the county in which said license are obtained."

Amend section six by striking out of line nine, in said section, the words "fifty," and insert in lieu thereof the words "one hundred."

Amend section 10 by inserting after the word "intoxicating," in line three, the word "spirituous," and to further amend by adding the following to follow section 10 of said bill :

"Section 10½. Any person of sound mind found in any public place in a state of intoxication shall be deemed guilty of a misdemeanor, and upon conviction be fined in any sum not less than two dollars, nor more than five dollars for each offense."

Amend by changing the number of section 19 to "20," in said Senate Bill No. 15, and the numbers of "20," as it appears in the bill to "21'" and insert the following as section "19" of said bill :

"Section 19. Every person who shall sell, barter or give away any intoxicating liquors in violation of any of the provisions of this act shall be personally liable, and also liable on his bond filed in the Auditor's office, as required by section 4 of this act to any person who shall sustain any injury or damage to their person or property, or means of support on account of the use of such intoxicating liquors so sold as aforesaid, to be enforced by appropriate action in any court of competent jurisdiction."

Amend section 20 by adding "Provided, however, that nothing herein contained shall be so construed as to effect in any way suits or indictments now pending in any of the counties in this State under the provisions of any of the laws hereby repealed, and the same shall be tried and determined as though this act had not been passed."

And said amendments of the House as amended were unanimously adopted, and said Senate Bill No. 15, and the House amendments as amended are herewith transmitted to the Senate, and the Senate is respectfully asked to concur in said amendments.

Mr. Neff moved that House Bill No. 473, a bill to amend section 17 of an act entitled "An act regulating descents and the appor-tionment of estates," approved May 14, 1852, be taken up.

Which was agreed to, and the bill read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bearss, Bunyan, Chapman, Daggy, Dykeman, Gooding, Hackleman, Haworth, LaRue, Major, Max-well, Neff, Rhodes, Tobin, Underwood and Wilson—18.

Those who voted in the negative were,

Messrs. Bell, Bowman, Cardwell, Culbertson, Davidson, Friedley of Lawrence, Givan, Grove, Harney, Henderson, Hendricks, Hough, Howard, Humphries, Johnson of Floyd, Johnston of Parke, Oliver, Peed, Roe, Sarnighausen, Skinner, Slater, Sleeth, Smith, Stockslager and Winterbotham—26.

So the bill failed to pass.

Report by Mr. Johnston of Parke.

MR. PRESIDENT:

The Committee on Enrolled Bills have this day presented to the Governor for his signature, the following Enrolled Senate Bills, to-wit: Nos. 25, 318, 365, 217, 145, 127, 353, 310, 274, 234; 42, 179, 287, 182, 95 and 268.

Message from the House by Mr. Holmes, Clerk thereof:

MR. PRESIDENT:

I am directed by the Speaker of the House to inform the Senate that the House has passed Engrossed Senate Bill No. 207 entitled "An act to amend section 74 of an act entitled 'an act defining mis-demeanors and prescribing punishment thereof.'"

Also, Senate Bill No. 311, entitled "An act to authorize the United States to purchase, by condemnation, lands within this State, in certain cases, by ceding jurisdiction over the same."

Also, Senate Bill No. 336, entitled "An act concerning submarine sites for light-houses and other aids to navigation."

Also, Engrossed Senate Bill No. 88, entitled "An act to provide for the recording of sheriffs' certificate, in certain cases, and providing payment for the same, and declaring an emergency."

And the same are herewith transmitted to the Senate.

Message from the House by Mr. Holmes, Clerk thereof:

MR. PRESIDENT :

I am directed by the Speaker of the House to inform the Senate that he has signed Enrolled Acts Nos. 182, 287 and 95, of the Senate, and the same are herewith returned.

I am further directed by the House to inform the Senate that the House has passed House Joint Resolution, No. 7, a joint resolution declaring the policy of the General Assembly of the State of Indiana, and instructing Senators and Representatives in Congress to vote to carry out the policy of the Democratic party in relation to the finances.

Also, the following concurrent resolution :

WHEREAS, The statutes of the State now published have become cumbersome, and contain many acts that have been repealed ; therefore, be it

Resolved by the House, the Senate concurring, That the Governor appoint a committee of five, of diverse politics, to re-arrange and revise the statutes of the State, and that such committee report such revision to the next General Assembly: *Provided,* That such committee be entitled to the copyright of such revision in full consideration and compensation for their labor in making such revision: *And provided further,* That the next General Assembly shall fix the price at which such statutes shall be sold.

And said resolutions are herewith transmitted for the action of the Senate.

Message from the House by Mr. Holmes, Clerk thereof:

MR. PRESIDENT :

I am directed by the Speaker to inform the Senate that the Speaker has signed Enrolled Senate Bill No. 268, and the same is herewith returned to the Senate for the signature of the President thereof.

Mr. Bell moved that the message from the House, on the subject of temperance, being Senate Bill No. 15, be now taken up, and the amendments of the House concurred in.

Mr. Dykeman moved the previous question.

Which was seconded by the Senate.

The question being, shall the main question be now put?

A division of the question was demanded by Mr. LaRue.

The President decided that the demand for the previous question could only apply to the motion to take up the message.

The motion to take up was then agreed to, and the message from the House was taken up and read.

Mr. Chapman raised the point of order that the bill (Senate Bill No. 15) was not now properly before the Senate.

Mr. Gooding moved that the Senate come to a vote on the bill now pending at the hour of 5:30 o'clock this afternoon.

Which was agreed to.

Mr. Scott, from the Committee of Conference, on House Bill No. 496, being the specific appropriation bill, submitted their report.

On motion by Mr. Chapman, the report of the Committee of Free Conference on House Bill No. 496, the specific appropriation bill, was made a special order for the hour of 3:15 o'clock p. m.

On motion, by Mr. Hough, the Senate took a recess until 2 o'clock p. m.

AFTERNOON SESSION.

Senate re-assembled, President in the chair.

Message from the House by Mr. Holmes, Clerk thereof:

MR. PRESIDENT:

I am directed by the Speaker to inform the Senate that he has signed Enrolled House Bill No. 497.

And the same is herewith transmitted to the Senate for the signature of the President thereof.

Mr. Dykeman offered the following resolution:

Resolved, That until the adjournment of this session no member of the Senate shall be allowed to occupy the floor for a longer time than five minutes for remarks either in explaining his vote or otherwise, without the unanimous consent of the Senate.

Which was adopted.

The question being, on concurring in the House amendments to Senate Bill No. 15, a bill regulating the sale of intoxicating liquors, etc.

Mr. Daggy offered the following amendments to the bill:

Amend by adding the following section:

That the license provided for in the foregoing provision of this act shall in no case be granted where a majority of the legal voters

of the township or town or ward of city shall remonstrate against the granting of the same in such township, town or ward of city.

The question being upon the adoption of the amendment,

Messrs. Daggy and LaRue demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bearss, Bunyan, Cardwell, Chapman, Daggy, Friedley of Lawrence, Friedley of Scott, Gooding, Hackleman, Haworth, Hough, Howard, Johnston of Parke, LaRue, Neff, Rhodes, Roe, Scott and Underwood—21.

Those who voted in the negative were,

Messrs. Bell, Boone, Bowman, Culbertson, Davidson, Dykeman, Givan, Grove, Harney, Henderson, Hendricks, Humphries, Johnson of Floyd, Maxwell, Peed, Sarnighausen, Skinner, Slater, Sleeth, Smith, Stockslager, Thompson, Tobin, Wilson and Winterbotham—25.

So the amendment was not agreed to.

Mr. Daggy moved that the Senate do concur in the House amendments, with the following further amendment:

Amend section 6 of engrossed House amendments by striking out the words, in said section, "Cities may charge one hundred dollars," and in lieu thereof insert the following: "Cities may charge not exceeding five hundred dollars."

Messrs. Daggy and LaRue demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bearss, Bunyan, Cardwell, Chapman, Daggy, Friedley of Lawrence, Friedley of Scott, Hackleman, Haworth, Hough, Howard, Johnston of Parke, LaRue, Major, Neff, Roe, Rhodes, Scott and Underwood—21.

Those who voted in the negative were,

Messrs. Bell, Boone, Bowman, Culbertson, Davidson, Dykeman, Gooding, Grove, Harney, Henderson, Hendricks, Humphries, Johnson of Floyd, Maxwell, Peed, Sarnighausen, Skinner, Slater, Sleeth, Smith, Stockslager, Thompson, Tobin, Wilson and Winterbotham—25.

So the amendment was not adopted.

Mr. LaRue offered the following amendment:

“Section —. If a majority of the legal voters of any ward in any city, or of any township or incorporated town, shall, on or before the 15th day of May, of any year, file, in the office of the Auditor of the county, wherein such ward, township or incorporated town is situate, their remonstrance in writing, remonstrating against the issuing of any license to sell intoxicating liquors in such ward, township or incorporated town, no license shall be granted under the provisions of this act for one year from the 15th day of May, of such year, and the number of votes cast at the last preceding election for councilmen, (if it be a ward), in a city, and if it be a township or incorporated town the number of votes cast at the last preceding general election shall be deemed, for the purposes of this act, to be the whole number of voters in such ward, township or incorporated town.”

Messrs. LaRue and Daggy demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bearss, Bunyan, Cardwell, Chapman, Daggy, Friedley of Lawrence, Friedley of Scott, Hackleman, Haworth, Hough, Howard, Johnston of Parke, LaRue, Major, Neff, Rhodes, Roe, Scott and Underwood—21.

Those who voted in the negative were,

Messrs. Bell, Boone, Bowman, Culbertson, Davidson, Dykeman, Gooding, Grove, Harney, Henderson, Hendricks, Humphries,

Johnson of Floyd, Maxwell, Peed, Sarnighausen, Skinner, Slater, Sleeth, Smith, Stockslager, Thompson, Tobin, Wilson and Winterbotham—25.

So the amendment was not adopted.

Mr. LaRue offered the following further amendment:

Amend by adding at the end of section 15 the following words: "A competent inspector shall be appointed by the Governor of the State for the purpose of inspecting intoxicating liquors sold in this State. Said inspector shall be paid a salary of not more than two thousand five hundred dollars per annum. Each licensed saloon keeper shall be charged five dollars annually, by the auditor of each county, to defray the expenses of said inspector."

Messrs. Daggy and LaRue demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bunyan, Cardwell, Daggy, Friedley of Lawrence, Friedley of Scott, Hackleman, Haworth, Hough, Johnston of Parke, LaRue, Neff, Oliver, Rhodes, Roe, Scott and Underwood—18.

Those who voted in the negative were,

Messrs. Bearss, Bell, Boone, Bowman, Culbertson, Davidson, Dykeman, Gooding, Grove, Harney, Henderson, Hendricks, Howard, Humphries, Johnson of Floyd, Maxwell, Peed, Sarnighausen, Skinner, Slater, Sleeth, Smith, Stockslager, Thompson, Tobin, Wilson and Winterbotham—27.

So the amendment was not agreed to.

Mr. Baxter offered the following amendment:

Amend by adding the following, viz.: "Section —. It shall be unlawful for any person licensed to sell intoxicating liquors under the provisions of this act, to have or permit any game of billiards, bagetelle, dice, cards, three-card monte, or any other game to be played on the premises, where he sells or [bar]ters any intoxicating

liquors, or in any out-house, garden or premises connected therewith. Every violation of this section shall be declared a misdemeanor, and upon trial and conviction thereof, the owner of said license shall be fined in the sum of fifty dollars, and shall forfeit his license. The forfeiture of said license shall be made part of the judgment of the court."

Messrs. Daggy and LaRue demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bearss, Bunyan, Cardwell, Chapman, Daggy, Friedley of Lawrence, Friedley of Scott, Hackleman, Haworth, Hough, Howard, Johnston of Parke, LaRue, Neff, Oliver, Rhodes, Roe, Scott and Underwood—21.

Those who voted in the negative were,

Messrs. Bell, Boone, Bowman, Culbertson, Davidson, Dykeman, Givan, Gooding, Grove, Harney, Henderson, Hendricks, Humphries, Johnson of Floyd, Maxwell, Peed, Sarnighausen, Skinner, Slater, Sleeth, Smith, Stockslager, Thompson, Tobin, Wilson and Winterbotham—26.

So the amendment was not agreed to.

Mr. Johnston of Parke offered the following amendment:

Amend by striking out all that part of — section that allows the applicant to sell during the pendency of an appeal.

Messrs. Daggy and LaRue demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bearss, Bunyan, Cardwell, Chapman, Daggy, Friedley of Lawrence, Friedley of Scott, Hackleman, Haworth, Hough, Howard, Johnston of Parke, LaRue, Major, Neff, Oliver, Rhodes, Roe, Scott and Underwood—22.

Those who voted in the negative were,

Messrs. Bell, Boone, Bowman, Culbertson, Davidson, Dykeman, Givan, Grove, Harney, Henderson, Hendricks, Humphries, Johnson of Floyd, Maxwell, Peed, Sarnighausen, Skinner, Slater, Sleeth, Smith, Stockslager, Thompson, Tobin, Wilson and Winterbotham—25.

So the amendment was not agreed to.

Mr. Bunyan offered the following amendment :

Amend section 1 in line 6, by inserting after the word "liquor," the words "except for medicinal or sacramental purposes."

Messrs. Daggy and LaRue demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bearss, Bunyan, Cardwell, Hackleman, Haworth, Hough, Howard, Neff, Oliver and Roe—12.

Those who voted in the negative were,

Messrs. Bell, Boone, Bowman, Culbertson, Daggy, Davidson, Dykeman, Friedley of Lawrence, Friedley of Scott, Givan, Gooding, Grove, Harney, Henderson, Hendricks, Humphries, Johnson of Floyd, Johnston of Parke, LaRue, Major, Maxwell, Peed, Rhodes, Sarnighausen, Scott, Skinner, Slater, Sleeth, Smith, Stockslager Thompson, Tobin, Wilson and Winterbotham—34.

So the amendment was not adopted.

Mr. Oliver offered the following amendment :

Amend by adding the following as a new section :

"Section —. It shall be the duty of all keepers of saloons or any place where intoxicating liquors are sold, to keep the front doors opened, windows clear of any screens, blinds, colored, frosted,

painting or stained glass; nor shall he be allowed to place a screen of any kind or description between his bar and the front door and windows for the purpose of screening or hiding any person or persons therein from public view."

Messrs. Oliver and LaRue demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bearss, Bunyan, Cardwell, Chapman, Daggy, Friedley of Lawrence, Friedley of Scott, Hackleman, Haworth, Hough, Johnston of Parke, LaRue, Neff, Oliver, Rhodes, Roe, Scott and Underwood—21.

Those who voted in the negative were,

Messrs. Bell, Boone, Bowman, Culbertson, Davidson, Dykeman, Givan, Gooding, Grove, Harney, Henderson, Hendricks, Humphries, Johnson of Floyd, Maxwell, Peed, Sarnighausen, Skinner, Slater, Sleeth, Smith, Stockslager, Thompson, Tobin, Wilson and Winterbotham—26.

So the amendment was not adopted.

The question recurring on concurring in the House amendments to Senate Bill No. 15, the temperance bill,

Messrs. LaRue and Humphries demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Bell, Boone, Bowman, Culbertson, Davidson, Dykeman, Gooding, Grove, Harney, Henderson, Hendricks, Humphries, Johnson of Floyd, Maxwell, Peed, Sarnighausen, Skinner, Slater, Sleeth, Smith, Stockslager, Thompson, Tobin, Wilson and Winterbotham—25.

Those who voted in the negative were,

Messrs. Baxter, Beardsley, Bearss, Bunyan, Cardwell, Chapman,

Daggy, Friedley of Lawrence, Friedley of Scott, Hackleman, Haworth, Hough, Howard, Johnston of Parke, LaRue, Major, Neff, Oliver, Rhodes, Roe, Scott and Underwood—22.

So the House amendments were concurred in.

Message from the Governor by his Private Secretary.

MR. PRESIDENT:

By direction of the Governor I herewith return Senate Bill No. 353, with a communication setting forth his objections to its becoming a law:

EXECUTIVE DEPARTMENT,

INDIANAPOLIS, March 13, 1875.

To the Senate:

I herewith return without my approval and signature Senate Bill No. 353. The bill declares it to be a felony to take from the files of the Senate or House of Representatives, without lawful authority, any bill for an act, or any joint resolution pending therein for passage, or after its passage, or for any unlawful purpose to carry away, or conceal the same, and prescribes the penalty of imprisonment in the State Prison not less than one nor more than five years, together with a fine. Section two declares an emergency and that the act shall be in force from and after its passage. I do not object to the first section. It is probably necessary. I object to the second section, which puts the act in force from its passage.

In a communication which I addressed to the Senate on the first instant, I said: "The provisions of our Constitution which prohibit any act of the legislature going into effect until it shall have been published and circulated in the several counties of the State except in case of emergency, is not arbitrary. It rests upon the obvious and just sentiment that the people should not be required to obey laws until they have an opportunity to know their provisions.

"What is an emergency which authorizes a law to be put in force

at once and before the people have equal opportunity to avail themselves of its beneficent provisions, or avoid its prohibitions and penalties? It is not merely the quality of excellence which makes it useful and to the advantage of the people that it be in force. That is presumed to be the quality of every law. It is presumed that you would not enact any law unless it be for the public good. The exigency contemplated by the Constitution means more than that. It is such sudden occasion, exigence or pressing necessity that there would be some special public or private loss in case of delay."

In a communication which I this day addressed to the House of Representatives, I said: "I cannot think of a case in which it would be proper to declare a law punishing a crime, in force until it has been published. Parties are presumed to know the law, but in fact, the people can not know them until they are published. It is against our sense of justice to punish a man under a law which he had no opportunity to know. The leading purpose of severe punishment is to prevent crime. How can a law serve that purpose until it is published and known? To declare a criminal law in force from its passage is in conflict with the spirit of the Constitution, as I think, and in conflict with the sentiment of justice."

I submit for your consideration that there can not be an emergency in this case. This bill was presented to me on the last legislative day of this session. It is to be presumed that the Legislature will not again be in session for nearly two years. What emergency can there be for the taking effect of this act until it can be published with the laws, as contemplated by the Constitution?

Because of this objection, I return the bill without my approval and signature.

THOMAS A. HENDRICKS,
Governor.

The report of the Committee on Free Conference on House Bill No. 490, the specific appropriation bill, was taken up, and Mr. Slater moved that the report be adopted as a whole.

Messrs. Hough and Slater demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Bell, Boone, Bowman, Culbertson, Davidson, Friedley of

Lawrence, Givan, Grove, Harney, Henderson, Hendricks, Howard, Johnston of Parke, Major, Maxwell, Oliver, Peed, Roe, Sarnighausen, Scott, Skinner, Slater, Smith and Winterbotham—25.

Those who voted in the negative were,

Messrs. Baxter, Bearss, Bunyan, Cardwell, Chapman, Dykeman, Hackleman, Haworth, Hough, Humphries, Johnston of Parke, LaRue, Stockslager, Thompson, Tobin and Underwood—17.

So the report was concurred in.

Message from the House by Mr. Holmes, Clerk thereof:

MR. PRESIDENT :

I am directed by the Speaker to inform the Senate that the House has passed the following resolution :

WHEREAS, It is a fact that the duties pertaining to the Journal Clerk of the House and Senate have been very laborious, requiring them to work very frequently until two or three o'clock in the morning, in order to have the Journal finished by the hour of meeting; therefore, be it

Resolved by the House, the Senate concurring, That James E. Baker, principal Journal Clerk of the House, and T. W. O. Braffett, principal Journal Clerk of the Senate, each be allowed the sum of seventy-five dollars for extra services.

On motion by Mr. Daggy the Message from the Governor vetoing Senate Bill No. 353, "A bill defining certain felonies, and prescribing the penalties therefor," was taken up.

The question being, shall the bill pass notwithstanding the Governor's objections?

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bunyan, Cardwell, Chapman, Daggy, Friedley of Lawrence, Friedley of Scott, Gooding Hackleman, S. J.—88

Harney, Haworth, Henderson, Hendricks, Hough, Howard, Humphries, Johnston of Parke, LaRue, Major, Maxwell, Oliver, Roe, Scott, Smith, Thompson, Tobin, Underwood and Wilson—29.

Those who voted in the negative were,

Messrs. Bearss, Bell, Boone, Bowman, Culbertson, Davidson, Givan, Grove, Johnson of Floyd, Peed, Sarnighausen, Skinner, Slater, Stockslager and Winterbotham—15.

So the bill passed.

Ordered, that the Secretary inform the House of the action of the Senate.

Message from the House by Mr. Holmes, Clerk thereof.

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed the following concurrent resolution:

Resolved by the House, the Senate concurring, That T. J. Bower, Reading Clerk of the House, be allowed the sum one hundred dollars for extra services as such Reading Clerk, and the same is herewith transmitted to the Senate.

Mr. Haworth moved that the House concurrent resolution allowing the Principal Journal Clerks of the House and Senate the sum of seventy-five dollars each be taken up.

Which was agreed to.

The question being on the adoption of the resolution,

Messrs. Roe and Slater demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Baxter, Bell, Daggy, Friedley of Lawrence, Hackleman, Haworth, Henderson, Howard, Johnson of Floyd, Sarnighausen, Scott, Skinner, Smith, Thompson, Tobin, Underwood, Wilson and Winterbotham—18.

Those who voted in the negative were,

Messrs. Bearss, Boone, Bowman, Bunyan, Cardwell, Chapman, Culbertson, Daggy, Givan, Grove, Harney, LaRue, Major, Peed, Roe, Slater and Stockslager—17.

So the resolution was agreed to.

On motion by Mr. Boone, Engrossed Senate Bill No. 301, a bill to amend an act concerning county prisons, etc., was taken up and read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Baxter, Beardsley, Bearss, Bell, Boone, Bowman, Bunyan, Cardwell, Culbertson, Daggy, Davidson, Friedley of Lawrence, Givan, Gooding, Grove, Hackleman, Harney, Haworth, Henderson, Hendricks, Hough, Howard, Humphries, Johnson of Floyd, Johnston of Parke, LaRue, Major, Maxwell, Roe, Sarnighausen, Scott, Skinner, Slater, Smith, Stockslager, Thompson, Tobin, Underwood, Wilson and Winterbotham—39.

No Senator voting in the negative.

So the bill passed.

The question being shall the title as read stand as the title of the bill?

It was so ordered.

Ordered, that the Secretary inform the House of the passage of the bill.

Message from the House by Mr. Holmes, Clerk thereof:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed Engrossed Senate Bill No. 70, entitled "An act in relation to promissory notes, bank checks and bills of exchange, and to designate the holidays to be observed in the presentation, acceptance and payment of the same, and declaring an emergency.

Also, Senate Bill No. 219, entitled "An act to amend sections 1, 2, 3, 4, 8, 13 and 17 of an act entitled 'an act to authorize aid to the construction of railroads by counties and townships taking stock in and making donations to railroad companies,'" approved May 12, 1869.

And the same are herewith transmitted to the Senate.

On motion by Mr. Johnston of Parke, Engrossed House Bill No. 183, a bill authorizing incorporated cities to reform and change their boundary lines, etc., was taken up and read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Baxter, Bearss, Cardwell, Chapman, Givan, Hackleman, Harney, Haworth, Henderson, Hendricks, Hough, Howard, Humphries, Johnston of Parke, Sarnighausen, Slater, Sleeth, Stockslager, Tobin, Underwood, Wilson and Winterbotham—22.

Those who voted in the negative were,

Messrs. Beardsley, Boone, Bowman, Bunyan, Dykeman, Friedley of Lawrence, Friedley of Scott, Gooding, LaRue, Major, Maxwell, Oliver, Peed, Roe, Scott, Skinner, Smith and Thompson—18.

So the bill failed to pass for want of a constitutional majority.

On motion, by Mr. Bell, Engrossed House Bill No. 145, a bill to reimburse Adams county for certain illegal taxes levied and collected therefrom, etc., was taken up and read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Beardsley, Bearss, Bell, Bunyan, Cardwell, Chapman, Culbertson, Davidson, Friedley of Lawrence, Givan, Hackleman, Harney, Haworth, Henderson, Humphries, Johnson of Floyd, Johnston of Parke, Major, Maxwell, Oliver, Peed, Roe, Sarnighausen, Scott, Skinner, Slater, Smith, Stockslager, Thompson, Tobin, Underwood, Wilson and Winterbotham—33.

Senators Howard and LaRue voting in the negative.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Ordered, that the Secretary inform the House of the passage of the bill.

Engrossed House Bill No. 296. A bill to amend section 205 of an act providing for a uniform assessment of property, etc., was read a third time.

The question being, shall the bill pass?

Those who voted in the affirmative were,

Messrs. Baxter, Bell, Bowman, Bunyan, Cardwell, Culbertson, Daggy, Davidson, Dykeman, Friedley of Lawrence, Friedley of Scott, Givan, Gooding, Hackleman, Harney, Haworth, Henderson, Hendricks, Hough, Humphries, Johnson of Floyd, Johnston of Parke, LaRue, Maxwell, Peed, Sarnighausen, Skinner, Sleeth, Smith, Stockslager, Thompson, Tobin and Underwood—34.

Those who voted in the negative were,

Messrs. Boone, Howard, Roe, Scott, Slater and Winterbotham—6.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Ordered. that the Secretary inform the House of the passage of the bill.

Mr. Bearss offered the following concurrent resolution :

Resolved by the House, the Senate concurring, That the Board of Trustees of the State University be and are hereby instructed not to devote any portion of the money appropriated for the use of said University to maintain any particular medical school.

The question being on the adoption of the resolution,

Messrs. Chapman and Roe demanded the ayes and noes.

Those who voted the affirmative were,

Messrs. Baxter, Bearss, Bunyan, Cardwell, Chapman, Culbertson, Dykeman, Gooding, Hough, Howard, Oliver, Roe, Scott, Skinner, Slater, Sleeth, Stockslager, Thompson and Tobin—19.

Those who voted in the negative were,

Messrs. Bell, Boone, Bowman, Daggy, Davidson, Friedley of Lawrence, Friedley of Scott, Givan, Hackleman, Harney, Haworth, Henderson, Hendricks, Humphries, Johnson of Floyd, LaRue, Major, Maxwell, Peed, Sarnighausen, Smith, Underwood, Wilson and Winterbotham—24.

So the resolution was not adopted.

Mr. Friedley of Lawrence offered the following resolution:

Resolved, That Brace Ewing be allowed the sum of thirty dollars for services in enrolling and engrossing bills during Regular Session of 1875.

Which was adopted.

Mr. LaRue moved that when the Senate do adjourn, it be until 2 o'clock p. m., Monday.

Which was agreed to.

Report from Committee on Enrolled Bills:

By Mr. Wilson. That he had examined Enrolled Senate Acts Nos. 95, 182, 287, 311, 336, 207 and 88 and found the same correctly enrolled.

By Mr. Johnston of Parke That he has examined Enrolled Senate Act No. 268 and found the same correctly enrolled.

Message from the House by Mr. Holmes, Clerk thereof:

MR. PRESIDENT:

I am directed by the Speaker to inform the Senate that he has signed Enrolled House Bill No. 497.

Also, that he has signed Enrolled Senate Bills Nos. 88, 207, 336 and 311.

And the same are herewith transmitted to the Senate.

The President announced that he had signed Enrolled Senate Acts Nos. 42, 234, 274, 310, 353, 127, 145, 217, 179, 95, 182, 287, 268, 88, 207, 336, 311, 15, 219 and 70.

Also, House Acts Nos. 266, 145, 44, 256 and 496.

Report by Mr. Johnston of Parke, from Committee on Enrolled Bills:

MR. PRESIDENT:

The Committee on Enrolled Bills have this day presented to the Governor, for his signature, the following Enrolled Senate Bills, to-wit: Nos. 70, 88, 219, 207, 311, 336 and 15.

On motion by Mr. Bearss, the Senate adjourned.

LEONIDAS SEXTON,

President of the Senate.

MONDAY AFTERNOON.

MARCH 15, 1875—2 o'clock.

Senate assembled, President in the chair.

Journal of Saturday, the 13th inst., read and approved.

Message from the House by Mr. Holmes, Clerk thereof:

MR. PRESIDENT:

I am directed by the Speaker to inform the Senate that he has signed Enrolled acts Nos. 215, 219 and 70.

And the same are herewith returned to the Senate.

Also, I am directed by the Speaker of the House to inform the Senate that he has signed Enrolled House Acts Nos. 266, 44, 496, 296 and 145.

And the same are herewith transmitted to the Senate for the signature of the President thereof.

Mr. Sarnighausen offered the following resolution:

Resolved by the Senate the House of Representatives concurring,
That a committee of two on the part of the Senate be appointed to meet a like committee on the part of the House, to wait upon the Governor in order to ascertain whether his His Excellency has any further communication to make to the General Assembly.

Which was adopted, and the President announced as said Committee Messrs. Sarnighausen and Underwood.

The President laid before the Senate the following communication from the State Librarian:

To the President of the Senate:

The members and employes of the Senate are respectfully

requested to return all keys belonging to desks, tables or cases that may be in their possession, to State Library before leaving the capital.

Very respectfully,

SARAH A. OREN,

State Librarian.

Mr. Humphries offered the following resolution :

Resolved, That the State Librarian be instructed to take charge of the furniture in the committee rooms of the Senate and keep the same for the use of the next General Assembly, provided the said librarian shall be authorized to sell the furniture of two of the rooms upon the best terms obtainable.

Which was adopted.

By consent, Mr. Skinner was granted leave to withdraw from the files Senate Bill No. 224.

Mr. Harney was granted leave to withdraw Senate Bill No. 186.

Mr. Bunyan was granted leave to withdraw Senate Bill No. 69.

Mr. Friedley of Lawrence offered the following resolution :

WHEREAS, Wm. T. Walker served as a Senate clerk for thirty-one days during the regular session ; therefore,

Resolved, That he be allowed for said services the same pay per day as other clerks were allowed, and that the President of the Senate draw his warrant for the same.

Messrs. Daggy and Bunyan demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Bearss, Bowman, Bunyan, Cardwell, Chapman, Daggy, Dykeman, Friedley of Scott, Hackleman, Henderson, Howard, Johnston of Parke, Neff, Oliver, Roe, Sarnighausen, Scott, Sleeth, Smith, Thompson and Underwood—21.

Those who voted in the negative were,

Messrs. Boone, Cree, Culbertson, Givan, Humphries, Johnson of Floyd, Slater and Stockslager—8.

So the resolution was adopted.

Message from the House by Mr. Holmes, Clerk thereof:

MR. PRESIDENT :

I am directed by the Speaker to inform the Senate that the House has passed the Senate concurrent resolution for a committee to wait upon his Excellency, the Governor, to know if he has any further communications to make to the General Assembly, and that upon the part of the House the Speaker has appointed Messrs. Cardwell and Lanham as such committee.

Also, that the House has passed the follow concurrent resolution, to-wit :

WHEREAS, The reports of the majority and minority of the Special Prison Committee, which were ordered to be printed, have not been presented to the members of this General Assembly; therefore,

Resolved by the House, the Senate concurring, That the Secretary of State be requested to furnish each member, by mail, with his pro rata share of said reports when printed.

And the same is herewith transmitted to the Senate.

Mr. Dykeman offered the following resolution :

Resolved, That W. H. Smith be allowed the sum of fifty dollars for money paid out by him for completing the work of the last regular session after the close of the session, and that the President be instructed to draw his warrant for the same, to be paid out of moneys heretofore appropriated for legislative expenses.

Which was adopted.

On motion, by Mr. Friedley of Scott, the House concurrent resolution relating to printing and Prison reports was taken up and not concurred in.

On motion, by Mr. Sleeth, the House concurrent resolution allowing T. J. Bower, Reading Clerk of the House, \$100 as extra services, was taken up and concurred in.

Report by Mr. Sarnighausen.

MR. PRESIDENT :

The joint committee of the Senate and House of Representatives who were appointed to wait upon the Governor and to ascertain whether he has any further communications to make to the General Assembly, have complied with their instructions, and directed me to report that His Excellency has no further communications to make, but he has requested the committee to express his gratification over the successful transactions of the session, and his thanks for the friendly relations which have existed between him and the General Assembly.

Mr. Neff offered the following resolution :

WHEREAS, It became necessary during the closing days of the Regular Session of 1875 for the enrolling clerks to work late at night and on Sunday in order to keep the business of the Senate up ; therefore, be it

Resolved by the Senate, the House concurring therein, That there be allowed J. S. Kumler and T. F. Colgrove, Enrolling Clerks, the sum of twenty-five dollars each for said extra services.

Mr. Daggy moved to amend by adding that the members of the Senate be allowed mileage for the extra session.

Mr. Humphries moved that the whole subject matter be laid on on the table.

Which was agreed to.

On motion, by Mr. Daggy, a committee of two was appointed to

inform the House that the Senate, having no further business to transact, was now ready to adjourn.

The President appointed as said committee Messrs. Daggy and Dykeman.

Mr. Johnson of Floyd offered the following resolution :

Resolved, That the President of the Senate draw his warrant on the Auditor of State in favor of A. E. & W. H. Drapier for Brevier Legislative Reports of the General Assembly at the same price paid per page, and for the same number of copies furnished the State every session for the last eighteen years.

Mr. Johnston of Parke moved that the resolution do lie on the table.

Which was agreed to.

Mr. Dykeman asked to be excused from serving on the special committee on Swamp Lands, and was so excused by the Senate.

Mr. Johnston of Parke offered the following :

Messrs. Woody and Johnson of Dearborn, a committee from the House, informed the Senate that the House was now ready to adjourn.

WHEREAS, Under act of Congress of September 28, 1850, the United States granted to the State of Indiana nearly 1,300,000 acres of land upon the express condition that the State use the same or its proceeds for the purpose of draining it; and,

WHEREAS, The State has not complied with the conditions of the grant, and has not the money in the treasury to do the same; and,

WHEREAS, Many persons claim title under patents from the State which were issued to individuals upon advance certificates for draining, which draining contracts they never carried out; and,

WHEREAS, Many other persons obtained patents for ditching and draining, which they never did; and,

WHEREAS, Under the act of the General Assembly of 1857, the Secretary of State was directed to call in and cancel said warrants, but as the acts convey no power to enforce the provisions, it was a nullity, and has never been carried into effect; and,

WHEREAS, Money has from time to time been appropriated out of the general fund in violation of law to pay for ditching these lands; and,

WHEREAS, About 400,000 acres of these lands justly and legally belong to the State, and now worth six millions of dollars; therefore, be it

Resolved, That a committee of three be appointed, with power to set in vacation, and have a clerk, to inquire what steps are necessary to fully invest the State with the title to the lands, and also what steps are necessary to re-invest the State with title to the lands obtained by fraud, and report the same to the next General Assembly, and that in said report they shall give a detailed statement and description of all such lands; and also, what monies have been appropriated, and to whom, for ditching; and be it

Resolved, further, That the committee shall have power to send for persons and papers, to examine records, and swear and examine witnesses, and take such steps as will enable them to perform properly the work contemplated by this resolution and the preamble hereto.

Mr. Stockslager moved that the resolution do lie on the table.

Messrs. Humphries and Chapman demanded the ayes and noes.

Those who voted in the affirmative were,

Messrs. Boone, Bowman, Bunyan, Chapman, Cree, Culbertson, Daggy, Dykeman, Friedley of Scott, Givan, Hackleman, Henderson, Humphries, Johnson of Floyd, Neff, Roe, Sarnighausen, Slater, Smith, Stockslager, Thompson and Underwood—22.

Those who voted in the negative were,

Messrs. Howard, Johnston of Parke, Scott and Smith—4.

So the motion was agreed to, and the resolution laid on the table.

Mr. Sleeth offered the following :

Resolved, That all books or papers in any of the offices in this State in relation to the entry of swamp lands and the title thereto, and the payment of such lands, shall be open to the inspection and examination of any and all persons at any and all times during office hours.

Which was adopted.

The President delivered the following farewell address:

The business for which we were assembled has been accomplished, so far as the time limited by the constitution of our State would permit, and we are now ready to return to our several homes. The laws passed by this Legislature, for the most part, will be found wholesome and proper, but as to the wisdom of some of them it will require experience to enable us to determine. But whether wise or unwise, the acts and doings of this Legislature have gone into history, and your intelligent constituents will read and study it. If they find them good, they will approve. If they find them bad, they will disapprove. If they find good laws substituted by bad ones, they will condemn. If they find failure to enact needed legislation, they will in due time place the responsibility where it properly belongs. As for myself, Senators, I return you my sincere thanks for the kind and considerate treatment I have uniformly received at your hands. I have found you ever ready to assist me, as your presiding officer, in maintaining good order and decorum in the Senate. I have found you ever ready to perform any acts required of you. I have found you very generous to forgive my many faults, and always willing to spread the mantle of your charity over my shortcomings. For these I thank you. I have found you all industrious and honest, and I take this opportunity to say the people of Indiana have just cause to be proud of their Senate. I, myself, feel distinguished by having the good fortune to preside over such a body: but our business is done and we must part.

I shall ever cherish the memory of the days of our association; but it is not probable that we all shall ever again meet together in a legislative or other capacity. Some of us are already old; some of us are ready to begin the descent into the mysterious vale that borders the end of life, while others, more vigorous and robust, moved

by the spirit of enterprise and lured by the hopes of gain, will be attracted to the newly-discovered gold fields of the Black Hills, to the silver mountains of Nevada, or to the more uncertain prospects in the threatened enterprises in Arizona and Mexico.

So, Senators, this parting is to me one of inexpressible sadness. I beg of you, therefore, if in the heat of legislative contests anything has been said or done to awaken in your bosoms feelings of resentment or unkindness toward any of your fellow Senators, you will here, in the very place where those feelings were excited, and now at the very time of your separation, bury and forget them forever; so that when you turn your faces homeward, you may say: "I have left no unkind thought behind." And now we must part, and I return you warm and heartfelt thanks for your uniformly generous conduct and treatment towards me. I shall ever cherish our two months association in this Senate as the pleasantest of my life. When I revert to it, I shall remember you, one and all, as kind, generous and able Senators, rich in wisdom and patriotism. May I not, then, feelingly bid you farewell? And permit me to add my wish that you may all yet live long to see our beloved State great and prosperous; and that, upon your return home to your families, relatives and friends, you will find them happy, peaceful and content. I bid you farewell.

On motion, by Mr. Sarnighausen, the Senate adjourned *sine die*.

LEONIDAS SEXTON,

President of the Senate.

JOHN OVERMYER,

Secretary.

W. H. SMITH,

Assistant Secretray.

CALENDAR

OF BILLS AND JOINT RESOLUTIONS introduced in the Senate, during the Regular and Special Sessions of 1875. Also, of House Bills and Joint Resolutions, received from the House of Representatives, during said Sessions. Prepared by John Overmyer, Secretary of the Senate.

No.	TITLE.	ACTION THEREON.
1	A BILL to reduce the pay of members of 4 dollars per day.	January 7, 1875 read first time, January 12 read second time by title and referred to Committee on Fees and Salaries.
2	A BILL to regulate and license the sale and other intoxicating liquors, to regulate and prescribe	
3	A BILL fixing the General Assembly.	
4	A BILL to repeal an act entitled "An act penalties to issue stock paid for by taxes to the tax-payers or their assignees, and for the benefit of the common school for 1872.	
5	A BILL to amend section 13 of an act on the election and qualification of Justices their jurisdiction and powers in civil cases.	
6	A BILL defining the salary of the Governor the same.	
7	A BILL to amend sections 102, 107, 271, 2 vide for a uniform assessment of property return of taxes thereon and to provide Assessors, and prescribing their duties.	

SENATE BILLS—Continued.

No.	TITLE.	BY WHOM.	ACTION THEREON.
8	A BILL fixing the per diem and mileage of members of the General Assembly, and providing that they shall furnish their own stationery.	Boo.	January 7 read & by title and referred to committee on January 16 reported back as <i>Malarias</i>
9	A BILL to authorize the organization of Boards of Trade and other commercial associations, and defining their powers.	Bell.	
10	A BILL to regulate public warehouses and warehousing and inspecting and mixing grain, making warehouse receipts assignable, prescribing the duties of warehousemen and inspectors of grain, etc.	Bell.	
11	A BILL declaring it to be unlawful to deprive certain employees of any railroad company of the benefits of the exemption laws of this State, etc.	Boardley.	
12	A BILL fixing the per diem of members of the General Assembly and the officers thereof.	Hough.	
13	A BILL to repeal an act entitled "An act to authorize the construction of railroads by counties and townships taking stock in and making donations to railroad companies."	LaRue.	
14	A BILL to prevent emphysema and to elevate the standard of the medical profession.	Peck.	
15	A BILL to regulate the sale of intoxicating liquors, to provide against drunkenness, prescribing penalties, to repeal all laws contravening the provisions of this act, and declaring an emergency.	Nea.	

ments, March 6 House amendments amended and con-
 sidered in, March 8 returned to House, March 12
 returned to Senate with additional amendments, same
 concurred in and became a law.

16	A BILL fixing the compensation of certain officers therein mentioned.	Beardsley.
17	A BILL creating the Fortieth Judicial Circuit, fixing the time of holding court therein, and also the time of holding court in the Twenty-fourth Judicial Circuit, etc.	Bell.
18	A BILL supplementary to an act entitled "An act to repeal all general laws now in force for the incorporation of cities and to provide for the incorporation of cities," etc, approved March 14, 1857.	Thompson.
19	A BILL to authorize the United States of America to acquire title to land in the State of Indiana by condemnation, etc.	Gooding.
20	A BILL providing that Justices of the Peace shall have original and exclusive jurisdiction in certain cases of misdemeanors.	Givan.
21	A BILL to prohibit the sale, gift or barter of deadly weapons or ammunition therefor to minors.	Hugh.
22	A BILL fixing the time of holding Circuit Courts.	Majer.
23	A BILL to amend the first section of an act to regulate the sale of intoxicating liquors, etc, approved Feb. 1873.	LaRue.
24	A BILL to provide for the mortgaging of the real estate of infants and by their guardians, under orders of the proper court.	Thompson.

January 8 read first time, January 12 read second time by title and referred to Committee on Fees and Salaries, February 3 reported back with amendments

January 8 read first time, January 12 read second time by title and referred to Committee on Judiciary, January 22 reported back with recommendation to indefinitely postpone, report concurred in.

January 8 read first time, January 12 read second time by title and referred to Committee on Judiciary, January 31 reported back with the recommendation to indefinitely postpone, February 3 report concurred in.

SENATE BILLS—Continued.

No.	TITLE.	BY WHOM.	ACTION THEREON.
26	A BILL to fix the times of holding courts in the Thirty-fourth Judicial Circuit.	Beardsley.	
26	A BILL to limit the number of Grand Jurors, to point out the mode of their selection, defining their jurisdiction, and to repeal all laws coming in conflict with this act.	Hall.	
27	A BILL to regulate and license the sale of intoxicating liquors, etc.	Given.	
28	A BILL to amend an act entitled "An act to amend section 53 of an act entitled 'an act to repeal all general laws now in force for the incorporation of cities, and to provide for the incorporation of cities,'" approved March 14, 1867, approved March 7, 1873.	Slater.	
29	A BILL to abolish Grand Juries, and authorizing all criminal proceedings to be instituted by affidavit, etc.	Rhodes.	
30	A BILL creating a department of statistics, and prescribing rules for the government of the same.	Sarnighausen.	
31	A BILL for the protection of wild game, defining the time in which the same may be killed, etc.	Beardsley.	
32	A BILL to limit appointments to office in the penitentiary, reformatory, and benevolent institutions of the State.	Winterbotham.	January 27 reported back with amendments and passage recommended, January 29 read second time and ordered engrossed, February 11 read a third time and

passed, February 12 referred to House, February 23 returned from House with amendments, same concurred and afterward became a law.

January 11 read first time, Constitutional rule suspended, read second and third times, passed and referred to House, January 12 returned from House and afterward became a law.

January 11 read first time, January 13 read second time by title and referred to Committee on Judiciary.

33	A BILL appropriating \$125,000 to defray the expense of the Forty-ninth General Assembly of the State of Indiana.	Dykeman.
34	A BILL regulating attorney's fees.	Dykeman.
35	A BILL repealing an act entitled "An act regulating interest on judgments."	Dykeman.
36	A BILL declaring illegal and void agreements to pay attorneys fees contained in any bill of exchange, acceptance, draft, promissory note or other written evidence of indebtedness.	Howard.
37	A BILL providing for publication of official matter in German newspapers.	Peed.
38	A BILL to repeal sections 1, 2, 3, 4 and 5 of an act entitled "An act supplementary and amendatory of an act entitled 'an act to provide for a uniform assessment of property, for the collection and return of taxes thereon,' approved December 10, 1872, approved March 8, 1873.	Stockslager.
39	A BILL to repeal the 1st, 2d, 3d and 4th sections of an act authorizing the assessment of lands within one and one-half miles on either side or within one and one-half miles of the terminus of any plank, macadamized or gravel road, etc.	Boers.
40	A BILL to amend the act to collect compensation to make the stockholders of railroad labor, and to enable stockholders other stockholders.	LaRoe.
41	A BILL to amend the act to collect compensation to make the stockholders of railroad labor, and to enable stockholders other stockholders.	Neff.

He on table.

SENATE BILLS—Continued.

No.	TITLE.	BY WHOM.	ACTION THEREON.
42	A BILL to provide for the redemption of personal property sold for taxes.	Humphreys.	
43	A BILL to amend section 647 of an act to revise, simplify and abridge the rules, practice, pleadings, etc., in civil cases, approved June 13, 1893.	Thompson.	
44	A BILL to declare null and void parts of certain contracts.	Humphreys,†	
45	A BILL in relation to the appointment of receivers, and to authorize appeals in such cases.	Bell.	
46	A BILL to amend section 8 of an act entitled "An act concerning real property and the alienation thereof," approved May 6, 1893.	Beene.	
47	A BILL to amend sections 2, 3, 4, 5, 6, 7, 8, 9, 10, 13, 14, 15, 16, 17 and 18 of an act entitled "An act regulating the fees of officers," etc., approved March 9, 1873.	Boose.	
48	A BILL concerning the election and organization of Boards of School Trustees.	Bunyan.	table. January 11 read first time, January 13 read second time and referred to Committee on Fees and Salaries. read second in Education, (and passage and ordered passed, Feb- ruary 10, 1894. read second Judiciary.
49	A BILL requiring officers to account for interest.	Marwell.	

50	A BILL to provide for the incorporation of any public or private cemetery already laid out and recorded, where any of the lots therein are occupied for the burial of the dead, and to provide for its maintenance and improvement, etc.	Howard.	January 11 read first time, January 13 read by title and referred to Committee on Rights and Privileges, February 3 reported back and passage recommended, February 27 read second time and ordered engrossed.
51	A BILL to repeal section 2 of an act entitled "An act to amend an act entitled 'an act to provide for a general system of common schools,'" S. 1870.	Bowman.	January 11 read first time, January 13 read second time by title and referred to Committee on Education.
52	A BILL to incorporate associations made by and saving contracts	Grove.	
53	A BILL to give married women their earnings.	Thompson.	
54	A BILL to amend an act entitled "An act providing for the election and qualification of Justices of the Peace, defining their jurisdiction and powers," approved June 9, 1866.	Cardwell.	
55	A BILL to amend section 16 of an act entitled "An act concerning real property and the alienation thereof," approved May 6, 1866.	Smith.	
56	A BILL to amend the first section of an act entitled "An act to prevent the introduction and spread in this State of the Texas or Spanish cattle fever," approved February 10, 1866.	LaRue.	
57	A BILL to repeal an act entitled "An act for the protection of fish," etc., approved March 9, 1867.	Johnston of Parks.	time and referred to Committee on Rights and Privileges, January 17 reported back and recommended to be indefinitely postponed.
	A BILL to amend section 3 of an act entitled "An act prescribing who may make a will, the effect thereof, what may be devised, regulating the revocation, admission to probate and content thereof," approved May 31, 1866.	Howard.	January 13 read first time, January 13 read second time by title and referred to Committee on Judiciary, January 19 reported back and recommended to be indefinitely postponed.

SENATE BILLS—Continued.

No.	TITLE.	BY WHOM.	ACTION THEREON.
57	A BILL to amend section 23 of an act entitled "An act to provide for the election or appointment of supervisors of highways," etc.	Beardsley.	
60	A BILL defining the liability of infants and persons contracting with infants of certain ages.	Scott.	
61	A BILL to subject a married woman's lands to her debts and contracts.	Thompson.	red to House. January 12 read first time, January 13 read second time by title and referred to Committee on Judiciary.
62	A BILL to amend an act entitled "An act to revise, simplify and abridge the rules of practice, pleadings and forms in civil cases," etc., approved June 18, 1852.	Steele.	
63	A BILL to empower the Boards of Trustees of incorporated towns in this State, by ordinance, to prohibit the sale, bartering, or giving away of intoxicating liquors within their corporate limits, to be drunk on the premises where sold, without a license, etc.	Hough.	
64	A BILL to hold principals responsible for injuries happening to their employees by the negligence or incapacity of their co-employees in the same.	Rhodes.	the committee, concurred in a report recommending that the bill be sent to lie on table. January 12 read first time and referred to Committee on Judiciary, January 21 reported and recommended to lie on table, January 25 laid on table.
65	A BILL to regulate religious gatherings.	Gooding.	January 12 read first time and referred to Committee on Judiciary.
66	A BILL regulating the fees of officers, etc.	Major.	

January 12 read first time and referred to Committee on Banking. January 27 reported back and passage recommended, January 28 read second time and ordered

67	A BILL to repeal section 55 of an act to authorize and regulate the business of general banking, approved March 3 1855.	Given.
68	A BILL amendatory and supplemental to an act entitled "An act providing for voluntary assignments of personal and real property," approved March 5, 1859.	Johnston of Parks.
69	A BILL compelling railroad companies to fence their tracks and providing penalties for the violation thereof.	Bunyan.
70	A BILL in relation to promissory notes, bank checks and bills of exchange, and to designate the holidays to be observed in the presentment, acceptance and payment of the same.	Sarnighausen.
71	A BILL to amend an act providing for the protection of fish, approved February 22, 1871.	Haworth.
72	A BILL to amend section 3 of an act entitled "An act to render taxation for common school purposes uniform, and to provide for the education of colored children of the State.	Sleeth.
73	A BILL to authorize husband and wife to testify for and against each other.	Oliver.
74	A BILL fixing the salaries of certain officers therein named, &c.	Cardwell.
75	A BILL to establish city courts in cities not being county seats and having a population of over five thousand inhabitants defining their jurisdiction and mode of procedure therein.	Beardsley.
76	A BILL to amend section eight of an act entitled "An act concerning real property and the alienation thereof," approved May 6, 1852.	Wilson.

SENATE BILLS—Continued.

No.	TITLE.	BY WHOM.	ACTION THEREON.
77	A BILL to provide for the trial of certain cases in which changes of venue are granted.	Hampshire.	
78	A BILL to repeal an act taxing dogs, approved March 2, 1865.	Hampshire.	
79	A BILL to provide for the inspection of coal or petroleum oils, etc.	Ball.	
80	A BILL to amend section one of an act to regulate general elections, etc., approved April 26, 1860.	Stockbridge.	
81	A BILL to transfer from the office of the Auditor of State to the general fund of the Treasury certain money held for free banks that have suspended or been wound up, and making other provisions in relation thereto.	Chapman.	
82	A of the Bank of the own names either said bank the pos- so assigned, and to their own names and et of public officers, or.	Eleuth.	January 18 read first time and referred to Committee on Finance, January 15 reported back and passage recommended, January 25 read second time and ordered engrossed, February 3 read third time, passed, and referred to House. January 16 read first time and referred to Committee on Banks, January 20 reported back without recommendation, February 1 read second time and ordered engrossed, February 13 read third time and failed to pass for want of a constitutional majority.
83	A	Johnston of Parke.	
84	A BILL to repeal section fifty-five of an act to amend an act entitled "An act to regulate the business of general banking," approved March 2, 1865, and providing for turning into the General Fund certain funds therein named.	Haworth.	January 14 read first time and referred to Committee on Judiciary, January 27 reported back and passage recommended, February 15 read second time and laid on the table.

SENATE BILLS—Continued.

No.	TITLE.	BY WHOM.	ACTION THEREON.
96	A BILL in relation to opening, laying out, widening, vacating and altering streets, alleys, highways, etc.	Oliver.	Committee passed ordered passed House
96	A BILL concerning the sale of real estate of married men upon, or by virtue of, judgment and decree of courts in this State in which their wives are not parties defendant, and thereby bound, and defining the rights of such wives.	Hough.	Committee amend- 22 read
97	A BILL defining who shall be competent witnesses in any court or judicial proceeding in this State, repealing all laws in conflict with the provisions of this act, and declaring an emergency.	Stockalager.	Committee recom- 27 read
98	A BILL to amend section 40 of an act entitled "An act to divide the State into counties, etc.," approved June 7, 1853.	Friedley of Scott.	January 14 read first time and referred to Committee on County and Township Business, January 21 reported back and passed time, and referred to House.
99	A BILL to amend an act entitled "An act to regulate the granting of divorces," etc., approved March 10, 1873.	Baxter.	January 14 read first time and referred to Committee on Judiciary, January 28 reported back with amendments and passage recommended, January 29 read second time and recommitted to Committee on Judiciary.
100	A BILL in relation to orders issued by cities upon their treasuries and providing for the presentation, redemption and order of payment of the same.	Bell.	January 14 read first time and referred to Committee on Judiciary, February 8 reported back with amendments and passage recommended, February 12 read second time and ordered engrossed, February 19 read third
101	A BILL empowering the Auditor of State to correct errors heretofore made by that officer in selling and conveying lands forfeited to the sinking fund by making proper deeds therefor, declaring the effect of such deeds and for other purposes.	Thompson.	
102	A BILL to require township trustees to levy a tax of fifty cents on each \$100 worth of taxable property to pay debts incurred for the building of school houses.	Gooding.	

104	A BILL to enable administrators appointed by the authority of other States to sell lands in this State to pay debts.	Lalime.
105	A BILL to provide for the speedy collection of money due to laborers for labor performed by them for their employers.	Slater.
106	A BILL to require county auditors to publish a statement of all allowances made by the county commissioners.	Baxter.
106	A BILL to authorize incorporation towns to lease bonds, etc.	Gives.
107	A BILL to amend section six of an act entitled "An act regulating the granting of divorces," etc.	Daggy.
108	A BILL to amend an act entitled "An act to incorporate the Indiana Fire and Marine Insurance Company."	Steele.
109	A BILL making it a misdemeanor for any one having a wife or wife and children to desert the same without means of support, etc.	Oliver.
110	A BILL to limit the number of grand and petit jurors in the courts of this State.	Wilson.
111	A BILL allowing the same defense to notes or bills of exchange payable in bank that is allowed now by law against notes not payable in bank.	Major.
112	A BILL to create the Forty-first Judicial Circuit, to amend sections 24 and 29 of an act to divide the State into judicial circuits, etc., approved March 9th, 1873.	Chapman.
113	A BILL to amend section 219 of an act entitled "An act to revise, simplify and abridge the rules, practices," etc., in civil cases, approved June 18, 1862,	Boehlinger.

January 16 read first time and referred to Committee on Judiciary, February 28 reported back and recommended to be indefinitely postponed, February 3 laid on table

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SENATE BILLS—Continued.

No.	BY WHOM.	ACTION THEREON.
114	"	
115	7 of Scott.	
116		
117	in of Parks.	
118	A BILL to regulate the sale of spirituous, vinous, malt and other intoxicating liquors, etc.	because a law.
119	A BILL for the relief of the heirs of John W. Wright.	
120	A BILL to prevent conductors and engineers of railroad trains from blocking up or holding the said trains across any street or public highway.	
121	A BILL to amend an act entitled "An act providing for the election of and prescribing the duties of County Surveyor," approved June 17, 1862.	and laid on table
122	A BILL to amend sections 1 and 15 of an act entitled "An act to limit the number of grand jurors," approved March 4, 1862.	amitted reported around d third Febru- as a law. amitted respo-

January 19 read first time and referred to Committee on Roads, January 31 reported back and passage recommended, February 10 read second time and ordered engrossed, February 23 read third time and passed, February 24 referred to House.

123	A BILL to amend section 1 of an act entitled "An act to amend an act entitled 'an act providing for the election or appointment of supervisors of highways,' etc., approved March 5, 1859, approved December 20, 1866.	Baxter.
124	A BILL concerning carriers of passengers.	Thompson.
125	A BILL to amend sections 18 of an act concerning promissory notes and bills of exchange, approved May 12, 1862.	Maxwell.
126	A BILL to repeal sections 272 and 273 of an act entitled "An act to provide for a uniform assessment of property," etc., approved Dec. 21, 1872.	Scott.
127	A BILL to amend section 216 of an act entitled "An act to revise, simplify and abridge the rules of practice, etc., in civil cases," approved June 12, 1862.	Henderson.
128	A BILL to regulate the practice of medicine.	Dykeman.
129	A BILL providing for the redemption of real property sold on execution, etc., and repealing the act upon redemption, approved June 4, 1861.	LeRue.
130	A BILL to amend section 24 of an act to revise, simplify and abridge the rules of practice, etc.	Givan.
131	A BILL to repeal sections 272 and 273 of an act entitled "An act to provide for a uniform assessment of property," etc., approved December 21, 1872.	Baxter.

on Finance.

SENATE BILLS—Continued.

No.	TITLE.	BY WHOM.	ACTION THEREON.
122	A BILL to authorize any incorporated city in this State, in which a harbor is situated, to lease parts of streets abutting on such harbor and to collect dockage from the lessees.	Winterbotham.	Committee on passage time and time and
123	A Bill to amend sections 1 and 2 of an act entitled an "An act to amend the 2d section of an act entitled 'an act to amend sections 5 and 6 of an act entitled an act to provide for the election of a reporter of, and a speedy publication of the decisions of the Supreme Court.'"	—	Committee
124	A Bill to amend section 49 and to repeal sections 48 and 50 of an act entitled "An act regulating general elections," etc., approved June 7, 1868.	Friedley of Lawrence.	Committee recommended
125	A Bill to repeal the 8th section of an act entitled "An act supplementary and amendatory of an act entitled 'an act to provide for a uniform assessment of property,' etc., approved December 21, 1872, approved March 8, 1873.	—	Committee recommended
126	A BILL regulating and fixing the legal rate of interest on money.	Major.	on the table.
127	A BILL concerning the practice in relation to appeals to the Circuit Court.	Steele.	January 19 read first time and referred to Committee on Rights and Privileges.
128	A BILL in relation to the settlement of claims against decedent's estates.	Steele.	nd referred to Committee orted back and passage i second time and ordered third time, passed and 23 returned from House
129	A BILL to amend sections 1 and 2 of an act entitled an "An act to amend the 2d section of an act entitled 'an act to amend sections 5 and 6 of an act entitled an act to provide for the election of a reporter of, and a speedy publication of the decisions of the Supreme Court.'"	Stockslager.	January 19 read first time and referred to Committee Judiciary, February 12 reported back with amendments and passage recommended, February 15 read second time and ordered engrossed, February 24 read third time, passed and referred to House, March 8 returned from House and afterward became a law.
130	A BILL to amend section 49 and to repeal sections 48 and 50 of an act entitled "An act regulating general elections," etc., approved June 7, 1868.	Stockslager.	January 19 read first time and referred to Committee on Fees and salaries, February 11 reported back and passage recommended, February 27 read second time and laid on table.
131	A BILL to amend section 49 and to repeal sections 48 and 50 of an act entitled "An act regulating general elections," etc., approved June 7, 1868.	Stockslager.	January 19 read first time and referred to Committee on Fees and salaries, February 11 reported back and passage recommended, February 27 read second time and laid on table.
132	A BILL to amend section 49 and to repeal sections 48 and 50 of an act entitled "An act regulating general elections," etc., approved June 7, 1868.	Stockslager.	January 19 read first time and referred to Committee on Fees and salaries, February 11 reported back and passage recommended, February 27 read second time and laid on table.

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141	A BILL to authorize the sale and conveyance of certain lands belong- ing to the State of Indiana.	Daggy.
142	A BILL to amend section 27 of the school law.	Givan.
143	A BILL defining certain misdemeanors and providing penalties therefor.	Friedley of Lawrence.
144	A BILL supplemental to an act approved June 21, 1893, and entitled "An act to authorize Circuit Courts to change the names of persons and corporations."	Thompson.
145	A BILL to empower executors and administrators of deceased persons to enforce partition of the real estate of such decedent in certain cases.	Stockslager.
146	A BILL to amend section 467 of an act to revise, simplify and abridge the rules, practice, pleadings, etc., in civil cases.	Bell.
147	A BILL to authorize the purchase of toll bridges and plank, gravel, macadamized or turnpike roads by Boards of County Commis- sioners.	Thompson.
148	A BILL to authorize appeals from the Board of County Commissioners in certain cases, etc.	Friedley of Lawrence.
149	A BILL to legalize the extensions of plank, gravel and turnpike roads, etc.	Friedley of Lawrence.
150	A BILL to authorize manual labor schools organized under the laws of this State, to accept and execute indentures of apprenticeship, etc.	Baxter.

SENATE BILLS—Continued.

No.	TITLE.	BY WHOM.	ACTION THEREON.
151	A BILL to authorize incorporated cities in this State to construct, extend, widen, deepen, repair, and otherwise improve harbors, and for that purpose to condemn the lands of persons through or adjoining which such harbors may run.	Winterbotham.	
152	A BILL to amend section 24 of an act entitled "An act regulating descents and the apportionment of estates," approved May 14, 1852.	Bearse.	
153	A BILL to amend section 178 of an act entitled "An act providing for the settlement of decedent's estates," etc., approved June 17, 1852.	Stockslager.	
154	A BILL to make further provisions for the care and treatment of the insane.	Beardsley	
155	A BILL supplemental to an act concerning the organization and perpetuity of voluntary associations, etc.	Bearse.	
156	A BILL to amend section 13 of an act concerning the partition of land, approved May 20, 1852.	Smith.	
157	A BILL to amend section 153 of an act entitled "An act to provide for a general system of common schools," etc., approved March 5, 1853.	LaRue.	
158	A BILL to amend section 6 of an act prohibiting the collection of tolls on gravel, turnpike and macadamized roads in certain cases, etc., approved March 5, 1853.	Peed.	
159	A BILL to secure to married women their inchoate interest in the real property of their husbands in cases of judicial sales, and to provide for the immediate possession thereof.	—	time and laid on table.

160	A BILL to amend section 116 of an act providing for the settlement of decedent's estates, etc., approved June 17, 1882.	Stockelager.	January 21 read first time and referred to Committee on Judiciary, February 12 reported back and recommended to lie on table.
161	A BILL to repeal sections 7 and 9 of an act to authorize and limit allowances by courts and boards, and drafts upon the county Treasurers, approved May 27, 1882.	Haworth.	January 21 read first time and referred to Committee on Judiciary, February 12 reported back and recommended to lie on table.
162	A BILL providing for the commencement and prosecution of criminal cases by information.	Daggy.	
163	A BILL to amend section 2 of an act entitled "An act fixing the time of holding courts in the Thirteenth Judicial Circuit of this State," approved March 10, 1872.	Daggy.	
164	A BILL to regulate and restrain dogs when running at large, etc.	Daggy.	
165	A BILL making drunkenness a misdemeanor.	Daggy.	
166	A BILL declaratory of the meaning of and amendatory of section 816 of an act to revise, simplify and abridge the rules of practice, etc., in civil cases.	Daggy.	
167	A BILL creating the Fortieth judicial circuit, etc.	Friedley of Lawrence.	
168	A BILL to amend section 46 of an act entitled "An act providing for the election and qualification of justices of the peace and defining their jurisdiction and powers in civil cases," approved June 9, 1882.	Peed.	
169	A BILL to provide for recording notices of pending suits, attachments and levies affecting real estate in certain cases.	LaRue.	
170	A BILL empowering married women to appoint and constitute attorneys in fact, to convey real estate, and for other purposes.	Skinner.	
171	A BILL to amend sections 1, 2 and 3 of an act entitled "An act to regulate the sale of county property and the letting of buildings, bridges, fences and monuments," approved December 23, 1872.	Johnston of Parks.	

January 21 read first time and referred to Committee on Judiciary, February 12 reported back and recommended to lie on table.

SENATE BILLS—Continued.

No.	TITLE.	ACTION THEREON.
172	A BILL providing for the organization and government of the State prisons, etc.	read first time and referred to Committee
173	A BILL to provide for allowances by county boards in certain cases	
174	A BILL to regulate and license the sale of intoxicating liquor etc.	
175	A BILL to regulate and license the sale of intoxicating liquor etc.	
176	A BILL to amend sections 1, 2, 3 and 15 of an act entitled "An act to limit the number of grand jurors."	
177	A BILL to amend an act entitled "An act to repeal all general law now in force for the incorporation of cities," etc., approved March 14, 1887.	
178	A BILL requiring the officers of certain corporations therein named to make out and publish annual statements, and providing penalties for the violation thereof.	
179	A BILL regulating the number of grand jurors, the manner of their selection, and defining their jurisdiction.	
180	A BILL regulating the transportation of passengers by railroad companies, prescribing penalties for its violation, and repealing all conflicting laws.	
181	A BILL to amend section 8 of an act entitled "An act to amend an act entitled 'An act to provide for a general system of common schools etc.," approved March 6, 1885, approved March 8, 1873.	<p>February 9 reported back and passage</p> <p>February 20 read second time and ordered</p> <p>February 23 read third time and passed, February 23 referred to House.</p>

182	A BILL to amend section 17 of an act entitled "An act regulating prosecutions in cases of bastardy, and providing for the support of illegitimate children," approved May 6, 1852.	Hough.	January 25 read first time and referred to Committee on Judiciary, February 3 reported back and passage recommended, February 26 read second time and ordered; March 3 read third time and passed, March 12 returned from House and afterward became a law.
183	A BILL to repeal an act entitled "An act concerning interest on money, and to provide for the redemption of usurious interest," approved March 9, 1857.	Marney.	January 25 read first time and referred to Committee on Judiciary.
184	A BILL defining the misdemeanors of keeping houses of ill fame, etc.	Haworth.	January 25 read first time and referred to Committee on Judiciary.
185	A BILL to amend section 7 of an act entitled "An act to authorize township trustees and trustees of incorporated towns, and the common council of cities to levy a tax for school purposes," approved March 9, 1857.	Grove.	January 25 read first time and referred to Committee on Judiciary.
186	A BILL making the township trustees of each civil township superintendent of roads and highways in his township, prescribing his duties and fixing commutation road tax.	Marney.	January 25 read first time and referred to Committee on Judiciary.
187	A BILL to amend subdivision 38 of an act entitled "An act to repeal all general laws now in force for the incorporation of cities," etc., approved March 14, 1857	Henderson.	January 25 read first time and referred to Committee on Judiciary.
188	A BILL to authorize the hanging of gates across public highways and making the leaving of such gates unfastened unlawful, and prescribing penalties therefor	LaBee.	January 25 read first time and referred to Committee on Judiciary.
189	A BILL to amend section 3 of an act entitled "An act prescribing the powers and duties of Justices of the Peace in State prosecutions," approved May 29, 1852.	Given.	January 25 read first time and referred to Committee on Judiciary.
190	A BILL vesting the inchoate interest of married women in the land, of their husbands in certain cases.	Judiciary Committee.	January 25 read first time and referred to Committee on Judiciary.
191	A BILL to amend section 51 of an act entitled "An act to divide the State into Judicial Circuits," etc., approved March 6, 1853.	Feed.	January 25 read first time and referred to Committee on Judiciary.
192	A BILL to provide for the election of a reporter of the Supreme Court, for the speedy publication of the decisions of such Court, and for the compensation of such reporter.	Steeth.	January 25 read first time and referred to Committee on Judiciary.

afterward became a law.

SENATE BILLS—Continued.

No.	TITLE.	BY WHOM.	ACTION THEREON.
193	A BILL concerning plank, macadamized and gravel roads.	Underwood.	January 26 read first time and referred to Committee on Corporations.
194	A BILL to authorize and regulate general banking.	Skinner.	January 26 read first time and referred to Committee on Banks, March 4 reported back and recommended to lie on table.
195	A BILL to provide for the prosecution of persons charged with misdemeanor by affidavit without the intervention of a grand jury and repealing certain acts therein specified.	Major.	January 26 read first time and referred to Committee on Organization of Courts.
196	A BILL to legalize the official acts of the Board of Trustees of the town of Bloomington, Monroe county, etc.	Friedley of Lawrence.	
197	A BILL to amend section 5 of an act entitled "An act supplementary and amendatory of an act entitled 'an act to provide for a uniform assessment of property and for the collection and return of taxes thereon,'" approved December 31, 1872, approved March 8, 1873.	Stocksleger.	
198	A BILL to authorize and limit allowances by Courts and Boards of County Commissioners, repealing all laws in conflict with this act, defining punishment for violating the same.	Humphreys.	
199	A BILL to amend section 2 of an act entitled "An act to amend sections 2, 6 and 7 of an act entitled 'an act concerning the organization of voluntary associations,'" etc., approved February 25, 1855, approved March 6, 1866.	Johnson of Floyd.	
200	A BILL supplemental to an act entitled "An act creating the Ninth, Tenth, Twelfth and Twenty-first Judicial Circuits," etc., approved March 11, 1867.	LaRue.	
201	A BILL to legalize the organization of plank, macadamized or gravel road companies, when such companies have organized in good faith before the act under which the organization was made went into force.	Scott.	January 26 read first time and referred to Committee on County and Township Business, February 4 reported back and recommended to lie on table, February 12 recommitted to same committee, February 20 reported

202	A BILL to authorize and provide for the erection of a New State House and for matters incident thereto.	Scott.	back with amendments and passage recommended, February 26 read second time and ordered engrossed, March 2 read third time and passed, March 3 referred to House. January 27 read first time and referred to Joint Committee on Public Buildings, February 18 reported back and passage recommended, March 2 indefinitely postponed.
203	A BILL to amend section 43 of an act to revise, simplify and abridge the rules, practice, pleadings and forms in criminal actions in the courts of this State, approved June 17, 1852.	Daggy.	January 27 read first time and referred to Committee on Judiciary, February 8 reported back with amendments and passage recommended, February 18 read March 3 read third
204	A BILL to provide for the erection of two additional Hospitals for the insane.	Gooding.	ferred to Committee ry 28 reported back commended, Febru- engrossed, February 11 read third time and passed, February 18 referred to House.
205	A BILL regulating the charges for the transportation of freight over railroads in this State, and prescribing penalties for the violation thereof.	Neff.	time and referred to Committee r 30 reported back and passage y 25 read second time and laid on table.
206	A BILL to amend section 17 of an act entitled "An act to repeal all general laws now in force for the incorporation of cities," etc., approved March 14, 1867.	Givan.	January 27 read first time and referred to Committee on Corporations, February 4 reported back and recom- second time
207	A BILL to amend section 74 of an act entitled "An act defining mis- demeanors, and prescribing punishment therefor."	Hendricks.	Committee and passage time and passed and House and
208	A BILL authorizing Judges of the Circuit Court to appoint Master Commissioners, defining their duties and fixing their compensation.	Hampbreys.	Committee 11th amend- -- read sec- read third
209	A BILL to amend section 26 of an act entitled "An act to repeal all general laws now in force for the incorporation of cities," etc., approved March 14, 1867.	Stockaleger.	January 27 read first time and referred to Committee on Swamp Lands, February 12 reported back and recom- mended to be indefinitely postponed.
210	A BILL supplemental to an act to regulate the sale of swamp lands, etc.	Smith.	January 27 read first time and referred to Committee on Corporations, January 30 reported back and recom- mended to be indefinitely postponed, February 1 read second time and recommitment to same Committee.
211	A BILL to amend section 2 of an act concerning the organization of voluntary associations, etc., approved February 12, 1855.	Gooding.	

SENATE BILLS—Continued.

No.	TITLE.	BY WHOM.
212	A BILL authorizing Criminal Judges in this State to issue writs of habeas corpus.	Wilson.
213	A BILL to provide for the safety of passengers on railroads by preventing the running of passenger trains without bell cords, and also to prevent the use of running switches on or across the streets or alleys of cities and prescribing punishment therefor.	Stockalger.
214	A BILL to reimburse counties for criminal prosecution.	Underwood.
215	A BILL authorizing the organization of co-operative associations.	Major.
216	A BILL to amend section 1 of an act to amend an act entitled "An act to provide for a general system of common schools," etc., approved March 8, 1873	Winterbotham.
217	A BILL defining misdemeanors and prescribing penalties therefor.	Johnston of Parke.
218	A BILL fixing the number of Trustees of Purdue University, etc.	Committee on Education.
219	A BILL to amend sections 1, 2, 3, 4, 13 and 17 of an act entitled "An act to authorize aid to the construction of railroads," etc., approved May 12, 1873.	Johnston of Parke.
220	A BILL to provide for the appointment of a proper person to collect, arrange and index the Wabash and Erie Canal, Michigan Road, University, Saline, Seminary and Donation lands, and the preservation of records pertaining thereto.	Feed.

221	A BILL prohibiting the loaning or depositing of public money by State or County Treasurers, and the receiving thereof by banks, bankers, brokers, loan agents and other institutions or persons, and insurance companies, and regulate the business of Indiana.	Friedley of Lawrence.	February 1 read first time and referred to Committee on Banks, February 8 reported back and recommended to be indefinitely postponed.
222	A BILL to amend section 11 of an act entitled "An act to authorize and encourage the construction of levees, dykes," etc.	Peed.	February 2 read first time and referred to Committee on Insurance, February 24 reported back without recommendation.
223	A BILL to amend section 11 of an act entitled "An act to authorize and encourage the construction of levees, dykes," etc.	Harney.	February 2 read first time and referred to Committee on County and Township Business, February 4 reported back and passage recommended, February 22 read second time and ordered engrossed, March 2 read third time.
224	A BILL to amend section 11 of an act entitled "An act to authorize and encourage the construction of levees, dykes," etc.	Thompson.	February 2 read first time and referred to Committee on Insurance, February 24 reported back without recommendation.
225	A BILL to amend section 11 of an act entitled "An act to authorize and encourage the construction of levees, dykes," etc.	Neff.	February 2 read first time and referred to Committee on Insurance, February 24 reported back without recommendation.
226	A BILL to amend section 11 of an act entitled "An act to authorize and encourage the construction of levees, dykes," etc.	Oliver.	February 2 read first time and referred to Committee on Insurance, February 24 reported back without recommendation.
227	A BILL to amend section 11 of an act entitled "An act to authorize and encourage the construction of levees, dykes," etc.	Chapman.	February 2 read first time and referred to Committee on Insurance, February 24 reported back without recommendation.
228	A BILL to amend section 11 of an act entitled "An act to authorize and encourage the construction of levees, dykes," etc.	Slater.	February 2 read first time and referred to Committee on Insurance, February 24 reported back without recommendation.
229	A BILL to amend section 11 of an act entitled "An act to authorize and encourage the construction of levees, dykes," etc.	Grove.	February 2 read first time and referred to Committee on Insurance, February 24 reported back without recommendation.
230	A BILL to amend section 10 of the general assignment law.	Henderson.	February 2 read first time and referred to Committee on Insurance, February 24 reported back without recommendation.
231	A BILL for the encouragement of manufacturing companies.	Hough.	February 2 read first time and referred to Committee on Insurance, February 24 reported back without recommendation.
232	A BILL to amend section 5 of an act entitled "An act to exempt property from sale in certain cases," approved February 17, 1862.		February 2 read first time and referred to Committee on Insurance, February 24 reported back without recommendation.

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on Judiciary.

and referred to Committee reported back and passage 6 read second time and read third time and failed national majority, March 3 and referred to Committee

SENATE BILLS--Continued.

No.	TITLE.	BY WHOM.	ACTION THEREON.
233	A BILL to authorize the correction of mistakes in deeds of conveyances and the records thereof.	Steeth.	February 2 read first time and referred to Committee on Judiciary, February 8 reported back and recommended to lie on table, February 22 read second time and laid on table.
234	A BILL to amend section 575 of an act to revise, simplify and abridge the rules, practice, etc., in civil cases, approved June 18, 1853.	Steeth.	February 3 read first time and referred to Committee on Judiciary, February 18 reported back with amendment read second third time, turned from Committee
235	A BILL, in relation to provision for widows and minor children of decedents.	Steeth	recommended to lie on table
236	A BILL to expedite the business of the supreme court by encouraging the filing of printed briefs therein.	Steeth.	February 2 read first time and referred to Committee on Judiciary, February 13 reported back and recommended to lie on table, February 23 read second time and ordered engrossed.
237	A BILL for the relief of persons whose property was taken, injured or destroyed by the U. S. or State troops under the commands of generals Hobson, Wallace, Love and others, while in pursuit of the rebel forces under the command of John Morgan in the year 1863.	Friedley of Scott.	to Committee and back with report against,
238	A BILL to amend sections 5 and 6 of an act to provide for a general system of common schools, etc.	Humphreys.	to Committee with amendment by 27 read second March 3 read
239	A BILL in relation to the care and preservation of cemeteries.	Rhodes.	to Committee and reported
240	A BILL to amend section 3 of an act prescribing the powers and duties of Justices of the Peace in State prosecutions, approved May 29, 1862.	Friedley of Lawrence	to Committee and recommended to lie on table.
241	A BILL for the incorporation and continuance of building, loan fund and saving associations, and repealing the subject, approved March 6, 1857, and March 7, 1873, and legalizing all such associations now in existence.	Roe.	to Committee amendments 5 read second and third time,
242	A BILL in relation to interrogatories propounded by one party to another, the answers thereto, etc.	Chapman	February 2 read first time and referred to Committee on Judiciary, February 13 reported back and recommended to lie on table.

243	A BILL to amend section 3 of an act to amend an act entitled "An act to provide for a general system of common schools," etc., approved March 6, 1866, approved March 8, 1873.	Bryan.	February 3 read first time and referred to Committee on Education, February 4 reported back and recommended to lie on table, February 12 read second time and laid on table.
244	A BILL providing for the appointment of short-hand reporters, etc.	Smith.	February 3 read first time and referred to Committee on Judiciary, February 8 reported back and recommended to lie on table.
245	A act entitled "An act concerning the of voluntary associations," etc., and	Committee on Corporations.	February 4 read first time, February 12 read second time and ordered engrossed.
246	A 158 of an act granting to the city a city charter, approved January 27, 1847.	Gooding.	
247	A BILL to provide for the repayment of certain soldier's bounties erroneously paid into the State Treasury Fund of estates without heirs and converted into the school fund.	Friedley of Lawrence.	March 6 returned from House and afterward became a law February 4 read first time and referred to Committee recommended amendments and recommended amendments in and bill and failed to
248	A BILL defining the duties of county and township assessors, and county and State boards of equalization in certain cases, etc.	Henderson.	o Committee amendments read second time and failed to pass for want of constitutional majority. February 4 read first time and referred to Committee on Corporations, recommended to lie on and laid on table.
249	A BILL and in city of ten thousand Commission lory to said City Council in their levy of tax, and repealing certain laws.	Beane.	to Committee back and passed and time and passed, from House
250	A BILL providing for the incorporation of State, District, County, Subordinate and other granges of the Patrons of Husbandry and defining their powers and duties in certain cases.	Scott.	February 4 read first time and referred to Committee on Judiciary, March 3 reported back and recommended to lie on table.
251	A BILL in relation to promissory notes and other contracts.	Rhodes.	united 1 back id time pended a con- lary 26 to add
252	A BILL to establish a Superior Court in the county of Tippecanoe, etc.	LaRue.	afterward became a law.

SENATE BILLS—Continued.

No.	TITLE.	BY WHOM.	ACTION THEREON.
253	A BILL General same.	Neel.	February 4 read first time and referred to Committee on Fees and Salaries.
254	A BILL viding	Friedley of Lawrence.	
255	A BILL supplemental to an act to establish Superior Courts, etc., approved February 15, 1871.	Gooding.	
256	A BILL to enforce the collection of delinquent taxes by judicial proceedings.	LaRue.	House. February 4 read first time and referred to Committee on Finance, February 24 reported back and passage recommended, February 25 r
257	A BILL to authorize Circuit Judges to appoint receivers in vacation the same as in term.	Gooding.	engrossed, March 2 read third time and approved. February 4 read first time and referred to Committee on Judiciary, March 3 reported back and passage recommended.
258	A BILL declaring what shall, in certain cases, be the basis for the collection of taxes in cities and incorporated towns, and prescribing the duties of Common Councils, Township Trustees and County Auditors in relation thereto.	Scott.	
259	A BILL in regard to the conveyance of the public grounds and buildings upon the re-location of county seats.	Major.	
260	A BILL declaring animals of the dog kind personal property, defining the rights of ownership in them, etc.	Smith.	House and afterward became a law. February 4 read first time and referred to Committee on Rights and Privileges, February 8 reported back and recommitted to the Committee on Judiciary, February 18 reported back and recommended to be indefinitely postponed.

261	A BILL to amend section 447 of an act to revise, simplify and abridge the rules of practice, etc., in civil cases.	Baxter.	February 4 read first time and referred to the Committee on Judiciary, March 8 reported back and passage recommended.
262	A BILL to amend sections 44, and 97 of an act entitled "An act to provide for a general system of common schools," etc., approved March 8, 1865.	Stockslager.	February 4 read first time and referred to Committee on Finance, February 8 reported back and passage recommended, February 27 read second time and ordered engrossed, March 3 read third time, passed and referred to House.
263	A BILL to amend section 1 of an act entitled "An act to incorporate the Lafayette Insurance Company," approved February 8, 1866.	LaBue.	February 4 read first time and referred to Committee on Insurance.
264	A BILL to repeal section 56 of an act entitled "An act to amend an act entitled 'an act to authorize and regulate the business of general banking, Assembly and sessions thereof and the Governor's objections thereto'"	Humphries.	February 4 read first time and referred to Committee on Fees and Salaries.
265	A BILL supplementing, amending, and revising, entitled "An act to provide for a uniform assessment of property," etc., approved December 21, 1872.	Tobin.	Committee reported February 15 read
266	A BILL to revise, simplify and abridge the rules, practice, pleadings, etc.	Tobin.	Committee amended
267	A BILL relating to the International Exhibition in 1876.	Scott.	to lie on table. February 8 read first time and referred to Committee on Railroads
268	A BILL to provide for the public printing and binding.	Beardsley.	Committee 1 back and second time time, passed from House
269	A BILL to amend section 71 of an act entitled "An act dividing the State into counties, defining their boundaries," etc., approved June 7, 1862.	Friedley of Scott.	Committee February 18 ninety postponed.
270	A BILL in relation to married women engaged in trade, and fixing their liability.	Bell.	February 8 read first time and referred to Committee on Judiciary, March 4 reported back and passage recommended.
271	A BILL amending section 2 of an act entitled "An act supplementary to an act to authorize aid to the construction of railroads," etc., approved May 12, 1869, approved January 30, 1873.	Harney.	February 8 read first time and referred to Committee on Railroads.
272	An act to amend the government of State prisoners of commissioners to have	Winterbotham.	February 8 read first time and referred to Committee on Prisons, February 20 reported back with amendments and passage recommended.
273	Counties and to repeal all	Skinner.	February 8 read first time and referred to Committee on County and Township Business, February 10 reported back and recommended to lie on table

SENATE BILLS—Continued.

No.	TITLE.	BY WHOM.	ACTION THEREON.
274	A BILL to repeal section 2 of an act entitled "An act to secure dues from private corporations and to extend their immunities to all citizens who may organize on the same terms," approved February 25, 1859.	Boardley.	Committee amended second time, and from
275	A BILL providing for the assessment and collection of taxes on bank stock, &c.	Bell.	House and afterward became a law. February 8 read first time and referred to Committee recommended
276	A BILL providing for the appointment of a fish commissioner for the State of Indiana.	Skinner.	to Committee reported back
277	A BILL fixing the salary of the Governor and Attorney General, the per diem of members of the General Assembly, and providing stationery, and repealing former laws.	Committee on Fees and Salaries.	12 read second 16 from table 28 read third
278	A BILL to amend section 61 of an act to provide for the incorporation of cities, &c.	Humphreys.	; time and referred to Committee
279	A BILL to authorize the boards of commissioners of counties where contracts have been made for the erection of court houses and other public improvements, and where the proceeds of the sale of bonds one per centum on the assessed valuation of the property of such counties is insufficient, to complete such building and other improvements to issue bonds, &c.	Humphreys.	time and referred to Committee
280	A BILL for the relief of Thomas E. Campbell.	Skinner.	p Business, February 10 reported amended.
281	A BILL to amend the first section of an act, to amend the first section of an act, to amend the first section of an act for the incorporation of manufacturing, mining companies, &c.	Thompson.	February 9 read first time and referred to Committee on Claims.
282	A BILL to limit the power of township trustees in incurring debts, and requiring them to designate certain days for the transaction of township business.	Howard.	referred to House, March 5 returned from House.

283	A BILL to authorize the board of county commissioners to appoint justices of the peace when vacancies may occur in said office.	Given.	February 9 read first time and referred to Committee on County and Township Business, February 10 reported back and recommended to lie on table, February 22 read second time, report not concurred in and ordered engrossed, March 3 read third time and passed, March 3 referred to House, March 8 returned from House and afterward became a law.
284	A BILL for the incorporation of towns, defining their powers, providing for the election of the officers thereof, and declaring their duties.	Tobin.	February 9 read first time and referred to Committee on Corporations.
285	A BILL to amend section 16 of an act entitled "An act concerning the partition of lands," etc.	Steeth.	February 9 read first time and referred to Committee on Judiciary, February 27 reported back and passage recommended.
286	A BILL concerning domestic animals running at large, and the trespasses committed by such animals.	Committee on Agriculture.	and second time, passed
287	A BILL to amend sections 2 and 7 of an act supplemental and amendatory of an act to provide for a uniform assessment of property, etc., approved March 9, 1873.	Hough.	Committee and passage and order and referred and after.
288	A BILL to legalize city taxes for the years 1873 and 1874.	Dykeman.	Committee and passage constituted, February 22 returned from House
289	A BILL to legalize the official acts of the board of trustees of any town incorporated under the laws of this State, to assess and collect taxes on real and personal property for municipal and school purposes, etc.	Haworth.	Committee and recommended
290	A BILL to amend section 17 of an act entitled "An act containing several provisions regarding landlords, tenants, lessors and lessees," approved May 20, 1852.	Rhodes.	initiate amend- 17 read d third March 6
291	A BILL to authorize incorporated cities in this State to construct, enlarge and maintain harbors, etc.	Headricks.	initiate recom- mended to clerk and
292	A BILL to amend the law for the incorporation of cities.	Beare.	initiate passage ordered d refer-

SENATE BILLS—Continued.

No.	TITLE.	BY WHOM.	ACTION THEREON.
293	A BILL to enable the incorporated cities of the State of Indiana to adopt and enforce by laws for the removal of garbage, etc.	Dugg.	
294	A BILL defining professional prostitution, etc.	Haworth.	
295	A BILL prescribing the rates of charges by railroad companies, etc.	Cardwell.	
296	A BILL to legalize the elections held in the years 1872, 1873 and 1874 in the town of Knightstown, etc.	Hough.	
297	A BILL to amend section 30 of an act entitled "An act to grant to the citizens of the town of Evansville a city charter," approved January 27, 1847.	Gooding.	
298	A BILL to amend an act entitled "An act to amend an act entitled 'an act to provide for a general system of common schools,' etc., approved March 8, 1873.	Cardwell.	
299	A BILL authorizing the institution of actions to secure delinquent taxes, etc.	Wilson.	d referred to Committee in, February 20 reported table.
300	A BILL relating to sureties.	Maxwell.	d referred to Committee reported back and recom-
301	A BILL to amend an act entitled "An act to amend section 11 of an act entitled 'an act concerning county prisons,' approved May 27, 1863, approved December 2, 1865,	Deane.	d referred to Committee back and passage recom- e and ordered engrossed,) and referred to House.

February 13 read first time and referred to Committee on Corporations, February 24 reported back and passage recommended, March 1 read second time and ordered engrossed, March 3 read third time, passed and referred to House, March 6 returned from House and afterward became a law.

203	A BILL to change the name of the Widows' and Orphans' Asylum of Indianapolis.	Thompson.
204	A BILL, or offering or holding for sale of fish in the lakes, rivers, ponds or streams in, and providing penalties.	LaBete.
205	A BILL to amend section 48 of an act entitled "An act regulating the incorporation of cities," etc., approved March 14, 1857.	Steele.
206	A BILL to legalize the official acts of the town of Redbridge.	Bagg.
207	A BILL concerning the punishment of felons.	Beardsley.
208	A BILL to amend section 49 of an act entitled "An act to divide the State into districts for judicial purposes," etc., approved March 6, 1857.	Friedley of Lawrence.
209	A BILL to amend section 55 of an act to provide for a general system of common schools, etc., approved March 6, 1857.	Ball.
210	A BILL to amend section 48 of an act entitled "An act to repeal all general laws for the incorporation of cities, and to provide for the incorporation of cities," etc., approved March 14, 1857.	Wilson.
211	A BILL providing for serving process upon the officers, directors, attorneys, or agents of any steamboat company.	Givens.

SENATE BILLS—Continued.

No.	TITLE.	BY WHOM.	ACTION THEREON.
311	A BILL to authorize the United States to procure, by purchase or condemnation, lands within the State of Indiana, and ceding jurisdiction over the same.	Gooding.	February 1 on Judiciary recommended engrossed, M to House, Ma became a law. February 18 read first time and referred to Committee on Judiciary.
312	A and punish the purchase or receipt of stolen rail-	Gooding.	
313	A ing trustees or commissioners of benevolent institutions to secure the right of way to railroad stations, to procure coal and other freights.	Oliver.	
314	A BILL concerning public funds.	Winterbotham.	
315	A BILL to amend section 23 of an act defining felonies, and prescribing punishment therefor, approved June 10, 1852.	Gooding.	
316	A BILL to amend section 211 of an act entitled "An act to revise, simplify and abridge the rules of practice, etc., in civil cases," approved June 18, 1852.	Oliver.	
317	A BILL to regulate suits for malpractice.	Oliver.	
318	A BILL fixing the fees and salaries of certain officers therein named providing penalties for its violation, and repealing certain laws.	Rhodes.	
319	A the incor-	Barnighausen.	
320	A a railroad property of	Barnighausen.	
321	A BILL to amend sections 23, 27 and 43 of an act to provide for a general system of common schools, etc.	Committee on Education.	February 20 read first time, February 27 read second time and ordered engrossed, March 2 read third time, passed and referred to House.

3235	A BILL regulating the assessment, levy and collection of taxes by towns for the payment of interest and principal of bonds issued, and for other purposes.	Hough.	February 20 read first time and referred to Committee on Corporations, March 1 reported back and passage recommended.
3236	A BILL providing for the building of a new State Prison at Beymour, and the discontinuance of the Prison at Jeffersonville, etc.	Bowman.	February 20 read first time and referred to Committee on Prisons.
3237	A BILL to encourage the organization of the Indiana active militia, etc.	LaRue.	to Committee back and recommended.
3238	A BILL regulating the survey of lands by establishing monuments so as to secure accurate surveys, and for other purposes.	Bell.	to Committee February 24 reported back and recommended to lie on table.
3239	A BILL providing for a District and State Board of Equalization for equalizing the appraisement of the real property of the State, etc.	Howard.	February 20 read first time and referred to Committee on Business.
3240	A BILL for the further protection of miners.	Baxter.	and referred to Committee reported back and recommended.
3241	A BILL authorizing incorporated cities in this State to fund their debts by the issue and sale of city bonds to the amount thereof, etc.	Dykeman.	referred to Committee
3242	A BILL to amend an act to provide for the opening, vacating and change of highways, approved June 17, 1863.	Cardwell.	
3243	A BILL to amend an act to provide for the opening, vacating and change of highways, approved June 17, 1863.	Skinner.	January 20 read third time
3244	A BILL to amend an act to provide for the opening, vacating and change of highways, approved June 17, 1863.	Howard.	to Committee February 24 reported back and recommended.
3245	A BILL for the relief of Joshua D. McQueen and others.	Grove.	referred to Committee back without
3246	A BILL to release any interest which may exist in the State in the bed of Beaver Lake, in Newton county, and to settle conflicting claims thereto.	Major.	id referred to Committee back and recommended
3247	A BILL to amend section 168 of an act to provide for a general system of common schools, etc., approved March 6, 1865.	Feed.	February 22 read first time and referred to Committee on Education, February 25 reported back and recommended to lie on table.
3248	A BILL to amend section 280 of an act to provide for a uniform assessment of property and for the collection and return of taxes thereon, approved December 21, 1872.	Slater.	February 22 read first time and referred to Committee on Finance, February 24 reported back and passage recommended, February 25 read second time and ordered engrossed, March 2 read third time, passed and referred to House, March 6 returned from House and afterward became a law.

SENATE BILLS—Continued.

No.	TITLE.	BY WHOM.	ACTION THEREON.
226	A BILL concerning submarine sites for light houses and other aids to navigation.	Hackleman.	
227	A BILL to legalize the election of the officers of the town of Sionsville.	Boone.	
228	A BILL to provide for the filling of certain vacancies therein mentioned.	Peed.	
229	A BILL relating to practicing attorneys.	Slater.	
230	A BILL providing for the purchase of additional land for the use of the House of Refuge.	Haworth.	
231	A BILL to amend section 21 of an act entitled "An act to establish a female prison and reformatory institution for girls and women," etc.	Baxter.	February 24 read first time, constitutional rule suspended, read second and third time and passed, February 25 referred to House, March 8 returned from House and afterward became a law.
232	A BILL to amend sections 1, 11 and 12 of an act entitled "An act to exempt property from sale in certain cases," approved February 17, 1892.	Ringo.	February 24 read first time and referred to Committee on Judiciary.
233	A BILL to amend section 2 of an act entitled "An act regulating foreign insurance companies doing business in this State, prescribing the duties of the agents thereof, and of the Auditor of State in connection therewith, and prescribing penalties for the violation of this act."	Blanch.	February 24 read first time, February 25 read second time, February 26 read third time and passed, March 1 referred to House.
234	A BILL for the relief of Alexander D. Carmichael and others.	Friedley of Lawrence.	February 24 read first time and referred to Committee on Judiciary. February 26 reported back without recommendation, read second time and ordered for third time, passed and referred from House and afterward became a law.

245	A BILL making the writing, printing, or publishing a libel unlawful and prescribing punishment therefor.	Oliver.	February 24 read first time and referred to Committee on Judiciary, March 3 reported back, and recommended to be indefinitely postponed.
246	A Bill to amend an act approved May 13, 1869, ^{10.}	Wilson.	February 24 read first time and referred to Committee on Judiciary.
247	A Bill to amend an act approved May 13, 1869, ^{10.} if an act to authorize the Governor of the lands with Peter Donnelly, etc., approved	Winterbotham.	nd referred to Committee on Judiciary, March 3 reported back and passage recommended.
248	A BILL to amend an act entitled "An act supplemental to an act to authorize aid to the construction of railroads," approved January 30, 1873, etc.	Harney.	suspended, read second and third times and passed. February 24 read first time and referred to Committee on Judiciary.
249	A BILL to encourage manufactures in incorporated towns, etc.	Daggy.	ended to lie on table.
250	A BILL to enable Mayors of cities to enforce the ordinances of their cities.	Hough.	February 27 read first time and referred to Committee on Corporations, March 4 reported back and passage recommended.
251	A BILL to amend section 3 of an act entitled "An act regulating foreign insurance companies doing business in this State," etc., approved December 31, 1865.	Rhodes.	February 27 read first time and referred to Committee on Judiciary.
252	A BILL providing for the organization and government of the State Prisons.	Baxter.	February 27 read first time and referred to Committee on Prisons, March 2 reported back and passage recommended.
253	A BILL defining certain felonies and prescribing the penalties therefor.	Hough.	
254	A Bill to amend an act approved May 13, 1869, ^{10.} if an act to authorize the Governor of the lands with Peter Donnelly, etc., approved	Bunyan.	d first time and referred to Committee on Judiciary, March 3 reported back and passage recommended.
255	A BILL to amend an act approved May 13, 1869, ^{10.} if an act to authorize the Governor of the lands with Peter Donnelly, etc., approved	Grove.	March 2 read first time and referred to Committee on Roads, March 3 reported back without recommendation.
256	A Bill to amend an act approved May 13, 1869, ^{10.} if an act to authorize the Governor of the lands with Peter Donnelly, etc., approved	Blago.	March 2 read first time and referred to Committee on Judiciary.
257	A BILL limiting the amount of the recovery on judgments for attorney's fees, etc.	Stockslager.	March 3 read first time and referred to Committee on Rights and Privileges, March 3 reported back and passage recommended.
258	A BILL to amend section 120 of the criminal code.	Johnston of Parks.	March 2 read first time and referred to Committee on Judiciary.

SENATE BILLS—Continued.

SENATE JOINT RESOLUTIONS.

No.	TITLE.	BY WHOM.	ACTION THEREON.
1	A JOINT RESOLUTION instructing our Senators and requesting our Representatives in Congress to pension by law the soldiers of the Mexican war.	Thompson.	7 21 read second read third time, 22 returned from House.
2	A JOINT RESOLUTION relating to the improvement of the east fork of White river.	Peed.	January 11 read first time.
3	A JOINT RESOLUTION to make temporary provision for the State printing.	—	al rule sug- ferred to
4	A JOINT RESOLUTION making the Auditor of State the custodian of all papers relating to the sinking fund.	Slater.	Committee recommended
5	A	Peed.	January 18 read first time.
6	A	Barnighausen.	January 18 read first and referred to Committee on Railroads, January 27 reported back and recommended to lie on table. January 18 read first time.
7	A JOINT RESOLUTION to regulate the auditing of accounts of persons appointed by the General Assembly without authority of law.	Slater.	January 18 read first time.
8	A JOINT RESOLUTION regulating certain Legislative practice therein mentioned.	Peed.	January 18 read first time.
9	A JOINT RESOLUTION on the improvement of the navigation of the Ohio river.	Gooding.	January 21 read first time and referred to Committee
10	A JOINT RESOLUTION proposing amendments to the Constitution of Indiana.	Boone.	
11	A JOINT RESOLUTION relative to the retiring of National Bank Notes and the substitution therefor of U. S. Treasury Notes.	Givan.	
12	A JOINT RESOLUTION to amend article 2, section 14, of the Constitution of Indiana.	Boone.	

House.

HOUSE BILLS.

No.	TITLE.	BY WHOM.	ACTION THEREON.
129	A BILL to amend an act entitled "An act to incorporate the Indiana Fire and Marine Insurance Company."	Havana.	
133	A BILL to repeal sections 272 and 273 of the assessment law, approved December 21, 1872.	Harris of Wayne.	
30	A BILL relating to and prescribing some of the duties and liabilities of Clerks of the several courts of this State.	Forkner.	
3	A BILL to amend sections 102, 107, 108, 125 and 270, and to repeal section 276 of the assessment act of December 21, 1872.	Williams of Brown.	
42	A BILL to amend the law in regard to printing the delinquent tax lists.	Williams of Brown.	9 returned to House. January 26 received from House, February 2 read first time and referred to Committee on Public Print-
45	A BILL to authorize the United States to acquire title to land in the State of Indiana by condemnation.	Pradlin.	in and 27 read first second and
6	A BILL to legalize the incorporation of the town of Martinsville.	Kennedy of Morgan.	
22	A BILL to amend section 1 and to repeal section 2 of an act relating to incorporated towns, approved March 10, 1873.	Oaldwell.	rejected.

January 26 received from House, February 2 read first time and referred to Committee on Public Printing, February 9 reported back with amendments and

77	A BILL providing for the publication of official matter in German newspapers.	Patina.
200	A BILL to change the time of holding court in the Twenty-first Circuit.	Kennedy of Montgomery.
100	A BILL to provide for the removal of line fences in certain cases, and prescribing the duties of Justices, Constables and applicants in relation thereto.	Waterman.
126	A BILL to repeal section 55 of an act to amend "An act to authorize and regulate the business of general banking," approved March 2, 1856.	Taylor.
138	A BILL for the destruction of wolves and foxes.	Leeper.
67	A BILL authorizing change of name in certain educational institutions.	Turpie.
201	A BILL to amend an act regulating the fees of officers, etc., approved March 9, 1873.	Forbner.
222	A BILL amendatory of an act entitled "An act for the protection of wild game."	Committee on Agriculture.
193	A BILL to amend section 673 of an act to revise, simplify, and abridge the rules of practice, etc., in civil cases," approved June 16, 1862.	Oram.
79	A BILL to amend section 83 of the act concerning decedents' estates.	Harris of Wayne.

3 read second time and laid on table.
January 28 received from House, February 2 read first time and referred to Committee on Judiciary, February 8 reported back and recommended to lie on table, March 3 read second time and laid on table.

HOUSE BILLS—Continued.

No.	TITLE.	BY WHOM.	ACTION THEREON.
192	A BILL to prevent the indiscriminate shooting into the roostings and nestings of wild pigeons.	Morgan.	
191	A BILL supplemental to an act to establish superior courts, etc., approved February 15, 1871.	Turpie.	
212	A BILL to legalize taxes for the year 1874, of the incorporated town of Auburn, in DeKalb county, etc.	Waterman.	
164	A BILL to amend section 74 of an act to revise, simplify and abridge the rules of practice, etc., in civil cases, approved June 18, 1852.	Forkner.	
69	A BILL authorizing the boards of county commissioners to levy taxes to construct, repair or purchase gravel, macadamized or other improved roads.	Kennedy of Montgomery.	
153	A BILL to legalize the acts of the town of Portland, in Jay county.	Smith of Jay.	
101	A BILL to regulate public warehouses and warehousing, etc.	Keighty.	<p>Feb first read February 2 read on Corporations, amendments and pas- sage r----- second time, Feb- ruary 25 amendments ordered engrossed, March 4 read third time and passed, March 5 returned to House.</p>

106	A BILL declaring illegal and void agreements to pay attorneys' fees contained in any bill of exchange, acceptance, draft, promissory note or other written evidence of indebtedness.	Harper.	February 1 received from House, February 2 read first time and referred to Committee on Judiciary, February 13 reported back with amendments and passage recommended, March 2 read second time and report not concurred in, March 5 read third time, passed and referred to House.
108	A BILL entitled "An act providing for the election and qualification of justices of the peace, etc."	Oram.	
109	A BILL to abolish the Twenty-Seventh Judicial Circuit and the criminal court therein, etc.	Davis.	
112	A BILL to amend an act entitled "An act to revise, simplify and abridge the rules of practice, etc., in civil cases," approved June 18, 1888.	Burson.	want of a constitutional majority. February 2 received from House, read first time and referred to Committee on Judiciary.
124	A BILL to fix the times of holding court in the counties comprising the Thirty-fifth Judicial Circuit.	Glasgow.	February 2 received from House, read first time and referred to Special Committee, February 4 reported back and passage recommended, March 3 read second time, March 8 read third time and passed, March 5 returned to House.
140	A BILL to legalize certain official acts of the common council of the city of Kokomo, etc.	Darnall.	
207	A BILL providing for the enclosure of lands subject to overflow.	Wals.	
174	A BILL to regulate and license the sale of intoxicating liquors, etc.	Bence.	House. February 4 received from first time and referred to March 6 reported back a table.
204	A BILL providing for the relief of persons bound as surety in writings for the payment of money.	McFadden.	February 5 received from House, February 8, read first time and referred to Committee on Judiciary.
209	A BILL to amend section 1 of an act to provide compensation to the owners of animals killed by the cars, locomotives or other carriages on any railroad in this State, etc.	Forkner.	February 5 received from House, February 8 read first time and referred to Committee on Railroads.

HOUSE BILLS—Continued.

No.	TITLE.	BY WHOM.	ACTION THEREON.
183	A BILL authorizing incorporated cities to reform and change their boundaries so as to exclude therefrom suburban lots or tracts of land.	Looper.	
184	A BILL defining grave robbing and prescribing punishment therefor.	Wyman.	
185	A BILL to fix the time of holding court in the Nineteenth Judicial Circuit.	Morgan.	
44	A BILL in relation to County Commissioners, etc.	Darnall.	
97	A BILL to amend section 133 of an act to revise, simplify and abridge the rules of practice, etc., in civil cases, approved June 18, 1863.	Collins.	
200	A BILL to authorize the organization of Boards of Trade, etc.	_____	<p>House.</p> <p>February 9 received from House, February 13 read first time and referred to Committee on Judiciary, February 23 reported back and passage recommended March 1 read second time, March 5 read third time and passed, March 6 returned to House.</p> <p>February 9 received from House, February 13 read first time and referred to Committee on Corporations, documents and amendments and passed second time and read third time and</p>

238	A BILL to fix the time of holding courts in the Fourth Judicial Circuit.	Davis.	February 9 received from House, February 13 read first time and referred to Committee on the Organization of Courts, February 20 reported back and passage recommended, March 3 read second time, March 5 read third time and passed, March 6 returned to House.
239	A BILL defining certain crimes, declaring the commission of abortion a felony, etc.	Kennedy of Morgan.	February 9 received from House, February 13 read first time and referred to Committee on Privileges, March 6 reported back and referred to Committee on the Organization of Courts, February 20 reported back and passage recommended, March 3 read second time, March 5 read third time and passed, March 6 returned to House.
240	A BILL to amend section 8 of an act regulating the granting of divorces, etc., approved March 10, 1872.	Twibell.	February 9 received from House, February 13 read first time and referred to Committee on Privileges, March 6 reported back and referred to Committee on the Organization of Courts, February 20 reported back and passage recommended, March 3 read second time, March 5 read third time and passed, March 6 returned to House.
241	A BILL to amend an act regulating prosecutions in cases of bastardy.	Kennedy of Marion.	February 9 received from House, February 13 read first time and referred to Committee on Privileges, March 6 reported back and referred to Committee on the Organization of Courts, February 20 reported back and passage recommended, March 3 read second time, March 5 read third time and passed, March 6 returned to House.
242	A BILL to amend section 184 of an act to revise, simplify and abridge the rules, practices, etc., in civil cases, approved June 18, 1862.	Crane.	February 9 received from House, February 13 read first time and referred to Committee on Privileges, March 6 reported back and referred to Committee on the Organization of Courts, February 20 reported back and passage recommended, March 3 read second time, March 5 read third time and passed, March 6 returned to House.
243	A BILL to amend sections 30, 31 and 35 of an act to provide for the incorporation of towns, etc., approved June 11, 1862.	Forkner.	February 9 received from House, February 13 read first time and referred to Committee on Privileges, March 6 reported back and referred to Committee on the Organization of Courts, February 20 reported back and passage recommended, March 3 read second time, March 5 read third time and passed, March 6 returned to House.
244	A BILL defining the duties of County and Township Assessors, and County and State Boards of Equalization in certain cases, etc.	Leeper.	February 9 received from House, February 13 read first time and referred to Committee on Privileges, March 6 reported back and referred to Committee on the Organization of Courts, February 20 reported back and passage recommended, March 3 read second time, March 5 read third time and passed, March 6 returned to House.
245	A BILL authorizing County Commissioners, in certain cases therein named, to issue bonds.	Heller.	February 9 received from House, February 13 read first time and referred to Committee on Privileges, March 6 reported back and referred to Committee on the Organization of Courts, February 20 reported back and passage recommended, March 3 read second time, March 5 read third time and passed, March 6 returned to House.
246	A BILL regulating the working of coal mines, etc.	Bence.	February 9 received from House, February 13 read first time and referred to Committee on Privileges, March 6 reported back and referred to Committee on the Organization of Courts, February 20 reported back and passage recommended, March 3 read second time, March 5 read third time and passed, March 6 returned to House.
247	A BILL to fix the location of the boundary line between the States of Indiana and Kentucky above and near Evansville.	Phiffin.	February 9 received from House, February 13 read first time and referred to Committee on Privileges, March 6 reported back and referred to Committee on the Organization of Courts, February 20 reported back and passage recommended, March 3 read second time, March 5 read third time and passed, March 6 returned to House.
248	A BILL providing for the incorporation of companies for the purpose of constructing bridges for railway or common roadway purposes, etc.	Phiffin.	February 9 received from House, February 13 read first time and referred to Committee on Privileges, March 6 reported back and referred to Committee on the Organization of Courts, February 20 reported back and passage recommended, March 3 read second time, March 5 read third time and passed, March 6 returned to House.

February 9 received from House, February 13 read first time and referred to Committee on the Organization of Courts, February 20 reported back and passage recommended, March 3 read second time, March 5 read third time and passed, March 6 returned to House.

February 9 received from House, February 13 read first time and referred to Committee on Privileges, March 6 reported back and referred to Committee on the Organization of Courts, February 20 reported back and passage recommended, March 3 read second time, March 5 read third time and passed, March 6 returned to House.

March 13 returned to House.
February 11 received from House, February 13 read first time and referred to Committee on Privileges, March 6 reported back and referred to Committee on the Organization of Courts, February 20 reported back and passage recommended, March 3 read second time, March 5 read third time and passed, March 6 returned to House.

House.
February 11 received from House, February 13 read first time and referred to Committee on Privileges, March 6 reported back and referred to Committee on the Organization of Courts, February 20 reported back and passage recommended, March 3 read second time, March 5 read third time and passed, March 6 returned to House.

HOUSE BILLS—Continued.

No.	TITLE.	BY WHOM.	ACTION THEREON.
176	A BILL to provide that the owners of dogs killed or maimed shall not obtain judgment for such killing unless such dogs are listed for taxation.	Waterman.	
145	A BILL providing for the reimbursement to the county of Adams of certain illegal taxes assessed and collected from said county.	Martin.	
206	A BILL to enable the owners of wet lands to drain and reclaim them.	Willet.	
190	A BILL to amend Section 5 of an act to prohibit the collection of tolls on gravel, turpentine or macadamised roads in certain cases, approved March 5, 1899.	Knightly.	House. February 13 received from House, February 13 read first time and referred to Committee on Roads, February 18 reported back and passage recommended.
200	A BILL legalizing extensions of plank, gravel, and turpentine roads beyond their termination points mentioned in their articles of association, etc.	Williams of Brown.	
212	A BILL to authorize manual labor schools organized under the laws of this State, to execute and accept indentures of apprenticeship, etc.	Clark.	table. February 13 received first time and referred to February 28 reported back a
235	A BILL concerning Grand Jurors, fixing their number, etc.	Collins.	in table. February 13 read e, February 13 read on Judiciary, March to lie on table, read
29	A BILL defining certain misdemeanors and prescribing punishment therefor.	Barnes.	

February 13 received from House, February 13 read first time and referred to Committee on Agriculture,

225	A BILL appropriating five hundred dollars per annum to the Indiana Horticultural Society.	Ragan.
233	A BILL to provide for the election of Directors for the State Prisons, etc.	Woody.
219	A BILL to amend Section 163 of an act entitled "An act to provide for a general system of common schools, etc."	Anderson.
88	A BILL to amend an act entitled "An act to provide for the incorporation of towns, defining their powers," etc.	Heller.
240	A BILL to amend Section 14 of an act regulating foreign insurance companies doing business in this State, etc.	Anderson.
212	A BILL to amend section 34 of an act defining misdemeanors, and prescribing punishment therefor, approved June 14, 1892.	Williams of Brown.
227	A BILL legalizing the record of deeds and mortgages heretofore recorded in this State where the official character of the record was not certified as required by the record of the State to be read in evidence, and making such persons.	Davis.
240	A BILL relating to evidence respecting lost records and deeds, purporting to have been made pursuant to judicial sales.	Davis.
241	A BILL to authorize the change of county boundaries.	Davis.
214	A BILL to amend section 50 of an act entitled "An act to provide for the incorporation of towns, defining their powers, etc.," approved June 11, 1892.	Clark.
277	A BILL to amend section 16 of an act concerning promissory notes and bills of exchange, approved May 12, 1893.	Kennedy of Morgan.

Library 20 read on Rights and in amendments and second time and amendments ordered engrossed.

Table, March 3 read second time and laid on table.

HOUSE BILLS—Continued.

No.	TITLE.	BY WHOM.	ACTION THEREON.
203	A BILL to amend section 2 of an act entitled "An act to amend section 2 of an act to amend sections 5 and 6 of an act to provide for the election of a reporter and the speedy publication of the decisions of the supreme court."	Heller.	February 16 received from H. first time and referred to Committee on Judiciary, February 27 reported back and laid on table.
205	A BILL limiting the power of county commissioners.	Charlton.	February 16 received from House, first time and referred to Committee on Township Business, February 26 reported back and laid on table, report bill laid on table.
207	A BILL to amend section 2 of an act entitled "An act to amend section 2 of an act to amend sections 5 and 6 of an act to provide for the election of a reporter and the speedy publication of the decisions of the supreme court."	Cantley.	House, February 20 read committee on County and Township Business, February 24 reported back and laid on table, report bill laid on table.
245	A BILL to amend section 2 of an act entitled "An act authorizing county agricultural societies to hold real estate," approved February 20, 1867.	Wals.	February 16 received from House, February 20 read first time and referred to Committee on Corporations.
255	A BILL supplemental to an act entitled "An act to repeal all general laws now in force for the incorporation of cities, and to provide for the incorporation of cities," etc., approved March 14, 1867.	Turpie.	February 16 received from House, February 20 read first time and referred to Committee on Corporations.
260	A BILL to legalize the official acts of the town of Boonville, Warrick county, Indiana.	Pyatt.	February 16 received from House, February 20 read first time and referred to Committee on Judiciary, February 27 reported back and passage recommended, March 3 read second time, March 6 read third time, passed, and returned to House.
274	A BILL to amend section 2 of an act entitled "An act to amend sections 2 and 6 of an act to provide for a geological survey," etc.	Bumke.	February 16 received from House, February 20 read first time and referred to Committee on Corporations, March 2 reported back and passage recommended, March 3 read second time, March 5 read third time, passed and returned to House.
284	A BILL to provide for the incorporation of any public or private cemetery company already laid and recorded, etc.	—	February 16 received from House, February 20 read first time and referred to Committee on Corporations, March 2 reported back and passage recommended, March 3 read second time, March 5 read third time, passed and returned to House.

356	A BILL to amend an act entitled "An act to provide for the opening, vacating and change of highways," approved June 17, 1888.	Wynn.	February 23 received from House, March 1 read first time and referred to Committee on Roads, March 2 reported back and recommended to lie on table, March 3 read second time and laid on table.
356	A BILL concerning licenses to exhibit a caravan, circus, rope or wire dancing, etc	Waterman.	February 23 received from House, March 1 read first time, March 8 read second time and amended.
330	A BILL to amend section 16 of an act entitled "An act concerning the election or appointment of supervisors of highways," etc, approved March 5, 1889.	Morgan.	February 23 received from House, March 1 read first time and referred to Committee on Roads, March 2 reported back and passage recommended, March 3 read second time.
172	A BILL to legalize dissections of human bodies.	—	February 23 received from House, March 1 read first time, March 3 read second time, March 5 read third time and failed to pass for want of a constitutional majority, March 12 taken up again, failed for want of a constitutional majority.
238	A BILL to amend sections 1 and 2 of an act to fix the per diem of members of the General Assembly and providing that they furnish their own stationery.	—	February 23 received from House, March 1 read first time and referred to Committee on Fees and Salaries, March 6 reported back with amendments and passage recommended, read second time, March 9 read third time and passed, March 10 returned to House.
141	A BILL appropriating money to pay the existing indebtedness of the State Normal School at Terre Haute, Indiana.	Gilbert.	February 23 received from House, March 1 read first time and referred to Committee on Finance, March 2 reported back and recommended to lie on table, report all laid on table.
16	A BILL fixing the salary of the Governor.	Martin.	laid from House, March 1 read first time and second time, March 9 read third time, ———— of unanimous consent, passed and returned to House
293	A BILL to legalize the acts of County Commissioners in purchasing and conveying real estate, and to authorize them to sell and convey real estate heretofore conveyed, etc.	Ames.	February 23 received from House, March 1 read first time, March 3 read second time, March 5 read third time and to House.
407	A BILL to legalize the official acts of the town of Spencer, Owen county.	Reno.	laid from House, March 1 read first time and second time, March 6 read third time and to House.
364	A BILL supplemental to an act entitled "An act to amend Section 53 of an act to repeal all general laws now in force for the incorporation of cities, etc.," approved March 10, 1873.	Leeper.	laid from House, March 1 read first time and second time, March 6 read third time and to House.
367	A BILL to legalize the official acts of the several Boards of Trustees of the town of Cheaterston, in Porter county.	Crumpacker.	laid from House, February 27 read second time, March 5 read third time and to House.
338	A BILL to amend Section 4 of an act entitled "An act to establish a home for the maintenance of sick and disabled Indian soldiers and seamen, etc."	Beddick.	laid from House, March 1 read first time and referred to Committee on Benevolent Institutions.
403	A BILL to legalize the official acts of the several Boards of Trustees of the town of Tipton.	Taylor.	February 23 received from House, February 27 read first time and referred to Committee on Judiciary, March 3 reported back without recommendation, read second time, March 5 read third time, passed and returned to House.

HOUSE BILLS—Continued.

No.	TITLE.	BY WHOM.	ACTION THEREON.
339	A BILL for the encouragement of manufacturing companies.	Leeper.	
368	A BILL providing for the incorporation of State, District, and County Horticultural Associations, etc.	Harris of Wayne.	
410	A BILL to legalize the acts of the Boards of Trustees of incorporated towns in certain cases.	Special Committee on Apportionment.	
415	A BILL to amend Sections 2 and 3 of the Legislative Apportionment Act of 1873.	Caldwell.	
453	A BILL to amend Section 1 of an act entitled "An act authorizing the Governor, Treasurer, and Auditor of State to make temporary loans."	Williams of Brown.	
1118	A BILL to amend Section 6 of item of common schools, etc., 1873.	Tarple.	
460	A BILL to incorporate the Widows' and Orphans' Savings Bank, approved February 13, 1851.		
275	A BILL to amend the act relating to the State in circuits for judicial purposes.		
308	A BILL, being a substitute for House Bill No. 244, etc.	Ramsay.	

February 26 received from House, March 1 read first

Hopkins.

414 A BILL to provide for the speedy collection of money due to laborers for labor performed by them for their employers.

Glasgow.

36 A BILL to amend Section 18 of an act concerning the partition of lands.

Shaffer.

217 A BILL concerning the organization of plank, macadamized and gravel road companies.

Taylor.

75 A BILL supplementary to an act concerning the partition of land, approved May 20, 1892.

Hopkins.

423 A BILL to regulate the manufacture and sale of illuminating gas, etc.

Snyder.

284 A BILL to amend Section 467 of an act to revise, simplify and abridge the rules, practice, pleadings, etc., in civil cases, approved Jan 18, 1892.

Kennedy of Morgan.

70 A BILL to define bribery in certain cases and to prescribe punishment for persons bribed to vote.

Marvin.

389 A BILL to increase the capacity of the Indiana Hospital for the Insane by additional buildings, and creating departments therein.

473 A BILL to amend section 17 of an act regulating descents and the apportionment of estates, approved May 14, 1892.

Williams.

419 A BILL prescribing some of the duties of County Treasurers, Auditors and Commissioners, providing for semi-annual settlements of County Treasurers, and fixing penalties for the violation thereof.

Thompson.

417 A BILL to exempt benefits and interests of minor children and dependents of Masonic, Odd Fellows and other charitable societies and of mutual insurance societies from the claims of creditors, and exempting certain policies of life insurance from the claims of creditors.

Kennedy of Morgan.

493 A BILL to secure the better treatment of inmates of County Poor Houses

February 26 received from House, March 1 read first time and referred to Committee on Judiciary, March 2 reported back and passage recommended, read second time, March 6 read third time, passed and returned to House.

February 26 received from House, March 1 read first time and referred to Committee on Elections, March 3 reported back and passage recommended, read second time, March 6 read third time, passed and returned to House.

February 26 received from House, March 1 read first time and referred to Committee on Elections, March 3 reported back with amendments, and passage recommended, read second time and amendments ordered engrossed.

February 26 received from House, March 1 read first time and referred to Committee on Judiciary, March 2 reported back and passage recommended, March 3 read second time.

February 26 received from House, March 1 read first time and referred to Committee on Finance, March 2 reported back and passage recommended, March 3 read second time.

February 27 received from House, March 1 read first time, March 3 read second time.

March 1 received from House, March 3 read first time, March 6 read second time.

HOUSE BILLS—Continued.

No.	TITLE.	BY WHOM.	ACTION THEREON.
296	A BILL to amend section 205 of an act to provide for a uniform assessment of property, etc., approved December 21, 1872.	Haynes.	March 1 received from House, March 3 read first time, March 5 read second time, March 13 read third time, passed, and returned to House.
491	A BILL to legalize the official acts of the several Boards of Trustees of the town of North Vernon, Jennings county.	Wynn.	March 1 received from House, March 3 read first time, March 5 read second time, March 12 read third time, passed, and returned to House.
484	A BILL to legalize the subscription of \$45,000 by the city of Vincennes, Indiana, to the capital stock of the Vincennes Drawbridge Company.	—	March 1 received from House, March 3 read first time, March 5 read second time, March 6 read third time and passed.
431	A BILL to legalize the assessment and collection of taxes in the town of Danville, Hendricks county.	Morgan.	March 1 received from House, March 3 read first time, March 5 read second time.
266	A BILL to protect the manufacturers of bottled mineral water, ale, cider and ginger pop.	Keightly.	March 1 received from House, March 3 read first time and referred to Committee on Judiciary, reported back and passage recommended, March 12 read second time, constitutional rule suspended, read third time, passed and returned to House.
392	A BILL relating to common schools, providing for the selection of teachers, etc.	—	March 2 received from House, March 3 read first time, March 6 read second time.
492	A BILL to raise revenue for State and school purposes, and an additional Hospital for the Insane.	Caldwell.	March 2 received from House, March 3 read first time and referred to Committee on Finance, March 6 reported back with amendments and passage recommended, March 6 read second time, passed, constitutional rule suspended, read third time, passed and returned to House.
402	A BILL to enable married women whose husbands are insane or of unsound mind to convey real estate belonging to such married women.	Taylor of Tipton.	March 2 received from House, March 3 read first time, March 5 read second time.
401	A BILL to prevent political or municipal corporations from creating indebtedness for any purpose in any amount exceeding five per cent. of the taxable property within such corporation.	Darnall.	March 2 received from House, March 3 read first time, March 5 read second time.
343	A BILL to amend section 3 of an act to authorize cities and towns to negotiate and sell bonds, etc., approved March 8, 1873.	Collins.	March 2 received from House, March 3 read first time, March 5 read second time, March 6 read third time, passed and returned to House.
310	A BILL to legalize bonds and other obligations issued by cities in aid of the construction of Court Houses within their limits.	Davis.	March 2 received from House, March 3 read first time, March 5 read second time, March 6 read third time, passed and returned to House.

HOUSE BILLS—Continued.

No.	TITLE.	BY WHOM.	ACTION THEREON.
438	A BILL the town of Huntington.	Shugart.	March 4 received from House.
439	A BILL the reimbursement to certain	Shaffer.	March 4 received from House, March 5 read first time.
348	A BILL as illegally assessed.	Bellows.	March 4 received from House, March 5 read first time.
334	A BILL el, macadamized and turn-	Ribble	March 4 received from House, March 5 read first time.
337	A BILL to amend section 89 of an act to repeal all general laws for the incorporation of cities, etc.	Davison.	March 4 received from House, March 5 read first time.
440	A BILL to provide that all unclaimed county orders shall be paid into	Miller.	March 4 received from House, March 5 read first time.
411	A BILL to regulate criminal prosecutions before justices of the peace.	—	March 4 received from House, March 5 read first time.
364	A BILL to amend section 53 of an act to repeal amend section 53 of an act to repeal	Looper.	March 4 received from House, March 5 read first time.
435	A BILL to amend section 53 of an act to repeal amend section 53 of an act to repeal	Kennedy of Montgomery.	March 4 received from House, March 5 read first time.
40	A BILL to regulate criminal prosecutions before justices of the peace.	Taylor.	March 4 received from House, March 5 read first time.
463	A BILL repealing an act authorizing the assessment of lands for plank, macadamized or gravel road purposes.	Chartere.	March 4 read second time, March 6 read third time, passed and returned to House.
444	A BILL to provide for the appointment of justices of the peace in cases of vacancy	Pfafflin.	March 4 received from House
439	A BILL to protect sheriffs and constables from payment of costs and damages in cases where they levy on property the title of which is doubtful or in dispute.	Smith of Jay.	March 4 received from House
454	A BILL supplemental to an act to provide for the election, fixing the compensation, and prescribing the duties of the attorney gen- eral.	Ramsey.	March 4 received from House
416	A BILL to amend section 477 of an act to revise, simplify and abridge the rules, etc., in civil cases, approved June 18, 1863.	McFadden.	March 4 received from House.
436	A BILL to amend section 477 of an act to revise, simplify and abridge the rules, etc., in civil cases, approved June 18, 1863.	McMichael.	March 5 received from House
448	A BILL to amend section 477 of an act to revise, simplify and abridge the rules, etc., in civil cases, approved June 18, 1863.	Bathist.	March 5 received from House
262	A BILL to amend section 1 and 2 an act supplementary and amende- ment of an act to provide for a uniform assessment of property, etc.	—	March 5 received from House.
437	A BILL to amend section 23 of an act concerning the partition of lands.	Kennedy of Montgomery.	March 5 received from House

86	A		Clark.	March 5 received from House.
400	A		Forkner.	March 5 received from House.
353	A		Barton.	March 5 received from House.
443	A		Pfafflin	March — received from House.
496	A		Davis.	March — received from House.
498	A		Caldwell.	March — received from House, read first time and referred to Committee on Finance, March 5 reported
445	A	BILL for the protection of passengers on railroads.	Miller.	
497	A	BILL to raise revenue for State purposes.	Caldwell.	
499	A	BILL to amend Section 3 of an act to regulate foreign insurance companies doing business in this State, etc.	Conference Committee on Fees and Salaries.	March 11 received from House, read first time, constitutional rule suspended, read second and third times, passed and returned to House.

HOUSE JOINT RESOLUTIONS.

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